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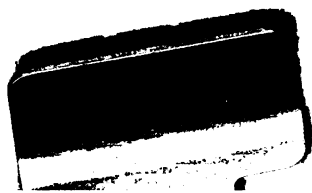
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Thomas, Wm.

**THE
ENEMIES
OF THE
CONSTITUTION DISCOVERED,
OR,
AN INQUIRY
INTO
THE ORIGIN AND TENDENCY
OF
POPULAR VIOLENCE.**

CONTAINING
A COMPLETE AND CIRCUMSTANTIAL ACCOUNT OF THE
UNLAWFUL PROCEEDINGS AT THE CITY OF
UTICA, OCTOBER 21st, 1835;

THE DISPERSION
OF THE
STATE ANTI-SLAVERY CONVENTION

By the Agitators,
THE DESTRUCTION OF A DEMOCRATIC PRESS, AND OF
THE CAUSES WHICH LED THERETO.

TOGETHER WITH A CONCISE TREATISE ON THE PRACTICE OF
THE COURT OF

HIS HONOR JUDGE LYNCH.

"It is against silent and slow attacks, that the nation ought to
be particularly on its guard." VATELL.

ACCOMPANIED WITH NUMEROUS HIGHLY INTERESTING
AND IMPORTANT DOCUMENTS.

BY DEFENSOR.

NEW-YORK:
LEAVITT, LORD, & CO. 180 BROADWAY.
G. TRACY, UTICA.

1835.

U. S. DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

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[Entered, according to Act of Congress, in the year 1836,
by WILLIAM THOMAS, in the Clerk's Office of the Southern
District of New York.]

PRELIMINARY SUGGESTIONS.

In the following treatise, plainness and simplicity have been my constant and undeviating aim. If I have been liberal and unsparing in censures, I can appeal to an approving conscience for the rectitude of my intentions—for the evidence that in every sentence which has been uttered I have been guided by a scrupulous adherence to truth and justice. If any whose conduct has been called in question should have occasion to complain of neglect, they may be well assured that the true cause is, the want of information—that the bounds within which I was obliged to be confined would not permit, or that the place they occupy in the ranks of the “*Enemies of the Constitution*” does not render them sufficiently formidable to require that they should receive more particular notice. It has been necessary frequently to bring into view the abolitionists and the agitators,*—the movements and measures of each. But I have carefully avoided touching upon the peculiar sentiments of the *Anti-slavery Society*. I am neither a member of that society, nor have any connexion with its movements. I am indeed opposed to slavery; but what particular mode of emancipation would be most expedient, is a question involving consequences too grave to approach in a treatise like the following, where it has no necessary connexion with the subject. To present a well-digested scheme would be inconsistent with the design and limits of this work, even if I were blessed with the wisdom and research necessary for the task. Upon a question so important, therefore, I have neither the inclination nor confidence to attempt to forestall the reader's opinion.

* The agitators are those who are endeavouring, by deception and fraud, to subvert the constitution, and change the settled policy of this country. These fanatics, by means of their incendiary meetings and publications, have long been labouring to inflame the public mind against the abolitionists, by misrepresenting their sentiments and designs. They have industriously circulated throughout the southern states publications of the most inflammatory and incendiary character, calculated to produce an insurrection among the slave-holders, and a dissolution of the union. With such assiduous and untiring zeal have their disorganizing schemes been pursued, that they have agitated the country to its utmost bounds with excitement and alarm, which threaten to sunder the most endearing relations and most sacred ties.

An elaborate account is given of the violence committed by the agitators upon the Utica Convention, and of all the preparatory movements which led to that outrage. The reader will naturally inquire, Where is the evidence, and who are the witnesses of these transactions? The evidence is ample; and fortunately individuals who were eyewitness, and can bear testimony to the truth of the following, statements are to be found in almost every county in the state of New-York. "For these things were not done in a corner."

The testimony of one individual, in whose veracity we can confide, is sufficient to satisfy us of the truth of the facts he relates; but the reader shall not be limited to one or two individuals, but shall be furnished with the names of FIVE HUNDRED WITNESSES, by whose testimony every word can be established.* They are individuals of respectability and unquestionable veracity, selected from every part of the State of New-York, besides three from the State of Ohio, and one from the State of Virginia, in order that they may give their testimony *viva voce*, and be examined and cross-examined by all who are disposed, with just intentions, to question them on this subject. Most readers, therefore, who desire to know the truth of these matters, are furnished with an opportunity of satisfying themselves from the mouths of their own neighbours and friends.

The Appendix is by no means the least interesting portion of the following work. The arrangement of the whole will be seen more fully by reference to the table of contents. The documents, originating from the head of an executive department of our government, which have been productive of so much evil to our country, the official reports of the meetings of the agitators, held previous to and on the day of the Anti-slavery Convention, are inserted entire, accompanied with notes and remarks; also the official report of the proceedings of the conservative meeting of the citizens of Utica, convened on the evening previous to the Convention. The copious extracts from various official documents, showing the tone and temper of the south on the subject of slavery, and demanding the enactment of penal laws against all who shall discuss that subject; the extracts from the writings of Thomas Jefferson, showing his opinions and views on that subject, and the extracts from the Federal and State Conventions, showing our rights in the present alarming state of affairs, are all highly important to be read and understood by every true friend of liberty.

The speeches of Gerrit Smith and Alvan Stewart, Esquires, are specimens of eloquence of a high and exalted character, and cannot fail to be admired by every candid and liberal mind. At a time when our country is torn with faction, when a corrupt party spirit has become universally prevalent, and the press is subjected to its absolute control; when great principles are sacrificed at the

* See Appendix, No. X.

altar of personal ambition ; when those who ought to be our protectors and our guides, are insidiously scattering the seeds of dissension, alarm, and distrust, and pursuing conduct which tends inevitably to produce in society dire feuds, civil strife, and the certain disruption of the social compact itself, it is the part of wisdom to seek direction in the tried counsels of the patriots and sages of other times. In the extracts from the sentiments of Washington and Jefferson, and other authorities admitted by all, which are given in the following work, ample direction will be found applicable to the trying circumstances with which we are surrounded.

There are many chicken-hearted individuals, who will pity me for having ventured, with so much boldness, to expose to public view, conduct in which so many honourable men were engaged. There is, say they, a diversity of sentiment on this subject ; a large class, and possibly a majority of the community are inclined to favour those measures which he has unequivocally condemned ; and although we know that he is right, yet it was rash for him to incur the wrath and indignation of so many honourable men, and to brave the more dreadful fury of a lawless rabble, by whose patriotism they were so promptly sustained. To this I reply, there will be no need of writing upon this subject when the very object of writing is already accomplished—when every body condemns these doings. Besides, when the cause of justice becomes popular, it will call to its aid many pens abler than mine.

Let these well-meaning individuals reserve their pity for their children, for whose limbs the chains of tyranny are already beginning to be forged. Only do you, kind reader, consider whether I speak truth ; and if to declare the truth shall call forth upon me the hottest indignation and bitterest calumnies of these men, and their confederates, and the more furious rage of the servile and vicious horde, who, long inured to slavish submission, have become the creatures of their will, and strangers to any other impulse or restraint ; all this I can endure for my country's sake. I was not ignorant, in the beginning, that an attempt to expose their iniquity would subject me to the vilest slanders that the direst malignity of the enemies of the constitution could invent. What if the malice of these men should pour upon my reputation a continuous shower of its insidious missiles ? It is not for reputation that I labour. I do not seek popular favour. It is the highest good of my fellow-citizens that I seek. And, although an attempt to destroy my reputation would be felt with the keenest sensibility, although the approbation and esteem of my fellow-citizens are as dear to me as my own life, yet I call heaven to witness that my country's welfare is dearer to me than both. In the humble part I have to act as an American citizen, the favour which I most fervently beg heaven to grant is, that neither my tongue nor my pen may ever become the slave of party, or subject to the impulse of passion, or the restraint of fear ; that to discharge my duty to my country, and my whole country, shall be my constant aim, and an

nudaunted freedom its concomitant. If you, generous reader, were to receive a personal injury from one professing to be your friend, surely you could not disregard it. But what is a personal indignity compared with an injury which is inflicted upon a whole nation? What is the welfare of one individual compared with that of millions? How much more then ought we to regard and correct those abuses which are gradually corrupting and transforming a government established "to promote our common welfare, and secure to ourselves and our posterity the blessings of liberty," into a powerful party engine, with which a few designing men achieve their conquest, and convert to their own aggrandizement the spoils of the vanquished; to condemn, in the most emphatic terms, and unfold to public view, the conduct of those men, who, under specious pretexts, employed to secure popular favour and support, are hewing away the last great pillar of our nation's safety. We are not to wait until our alarms are awakened by the sounding trumpet and glittering steel of a marshalled host of foreign invaders, or until we shall behold, seated upon a gorgeous throne, high and lifted up, the tyrant, clothed in all the habiliments of royalty, securely wielding the sceptre of oppression over us. But it is against silent and slow attacks, made by those who feign the highest regard for the interest of the people, that we ought to be constantly on our guard. Nor is it over the conduct of the ministers of the people alone that we are to watch with a jealous eye. It is the more fatal and ruinous tendency of lawless encroachments of popular violence that we have most to fear. But what language can express his guilt, who, "unmoved by passion or prejudice," but "peaceably," with a deliberate and fixed purpose, sets at naught the constitution and the law, and contemptuously tramples upon our dearest and most sacred rights?

There is one suggestion further, which I desire may be well considered. We all know, that those who seek to do mischief on an extensive scale, endeavour in the most artful manner to conciliate and bring to their aid popular favour. There is a certain class of individuals in almost every community, who are invariably found on the side of these men. Now, it was a wise saying of an ancient philosopher, which every-day's experience has proved to be true, that a man's character may be known by the company he keeps. It is a truth as well settled, there can be no agreement between things opposite in their natures. If, therefore, it be true, (which we most religiously believe) that our government be founded upon the pure principles of philanthropy, virtue, and morality, and is best adapted to the wants of society, and calculated to promote their highest good, is it not natural to conclude, that the intelligent, moral, virtuous, and philanthropic portion of the community, those who are most active in promoting the welfare and happiness of their fellow-beings, with the hope of no other reward but the satisfaction which arises from a consciousness of doing well, are the friends of this government? And is it not equally

natural to conclude, that those noted subjects of intemperance and vice, who live only to curse society with an immoral and pestiferous influence, and to add to human misery, are not the friends of this government? When these characters combine, can it be for any good purpose? When we see them prosecuting any purpose, whether political or otherwise, with a loud and clamorous zeal, may we not justly suspect that there is some evil lurking in their designs? When we see an individual invoking the aid of this class of the community, and deriving his support from them, verily we have reason to distrust the purity of his intentions. If this reasoning fails, it must inevitably follow, that our government, instead of depending upon the virtue and intelligence of the people for its support, can only be safe under the universal reign of ignorance and vice. And then it must also follow, that it is a vicious government; for there is no agreement between virtue and vice, nor can one be supported by the other. But it was barely a hint I intended. The point cannot be pursued further at present.

I cannot omit noticing in the beginning, the dangerous tendency of a most subtle artifice (I might say conspiracy), much employed of late by the enemies of the constitution. We are often told, that public opinion is the law of the land, and that to this we are bound to yield. By this cunning device, attempts are often made to destroy rights expressly guarantied by the constitution, even by the expression of public opinion in a single town, county, or state, in the primary assemblies of the people. We will suppose that those who originated this conspiracy, only contend that the expression of the opinions of a majority of the *nation* is to have the force of authority, and that we must conform to it. This is placing their doctrines in a more favourable light than the facts will warrant, and if in this light they prove to be false and subversive of true liberty, it will be unnecessary to exhibit their more odious features.

The danger of committing the management of the affairs of state to the capricious impulse of primary assemblies, was not overlooked in the establishment of our government. Public opinion, it is true, *legitimately expressed by legislative enactments*, is binding. The constitution and law are the voice of the people, and are supremely obligatory upon all. We can recognise no other voice than this. But our enemies would deceive us by changing the names of things. What the constitution and laws forbid them to touch, they would take away by that which they call public opinion. What! shall the people tear from us, with one hand, that which they have freely given us with the other? What matters it whether we are bound with chains of iron or steel? If we are to be slaves, what matters it by what means we are deprived of liberty? Will the yoke of tyranny be more tolerable to bear when it is fastened to our necks by public opinion? If our rights are to depend upon the fluctuating opinions of the inhabitants of the ville, county, or state where we reside, then in-

deed is our constitution but a shadow, and the whole machinery of our government a mere farce. Those who thus deceive us, however they may vary their positions, and however plausible their pretences, have but one end in view at last ; they would subvert our constitution, and accustom us to bear the yoke of tyranny under a false name. The present is a time which demands the utmost watchfulness of the friends of our country. The designs upon its liberties are of the most formidable and alarming character. But the people are asleep. A gentle voice seems to call to them, Awake, watch ; you are surrounded by enemies in disguise ; but yet they seem not to heed it. Shortly they may be saluted with this same friendly voice, saying, "Sleep on now and take your rest," your liberties are betrayed into the hands of your enemies.

DEFENSOR.

New-York, December 25, 1835.

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THE ENEMIES

OF THE

CONSTITUTION DISCOVERED.

I.

IF, twelve months ago, some ardent friend of his country, endowed with the prophetic gift, or seeing the inevitable tendency of public measures, had foretold that the time was at hand when American citizens, before the eyes of the whole nation, should be seized and put to an infamous death without being allowed the privilege of a legal trial,—if he had also foretold, that the mail of the United States, the great depository of the public secrets, one of the most important safeguards of our liberties, would be wrested from the custody of the constitutional authorities, plundered, and its contents committed to the flames, in violation of the public faith most solemnly pledged for its protection,—that the Postmaster at the commercial metropolis of the nation would arrogate to himself the power of a censor, and, in violation of the laws of the land, and of the most sacred duties of his office, which he had sworn to perform, should detain in his custody publications committed to the charge of the depart-

ment, under the hairbrained pretence, that in his imagination they advocated sentiments which might prove of dangerous tendency ; and if he should have foretold, that such flagrant departures from the law and the constitution would meet with the approval of the highest functionaries of the national government ; and if he had also foretold, that within the short space of a year, the world was destined to behold in free and happy America—in the democratic state of New-York, a state convention, an assemblage of one thousand freemen, convened in the temple of the Most High, assailed with lawless violence, insulted, abused, and deprived of their constitutional rights, the freedom of speech, the right peaceably to assemble and deliberate upon subjects intimately concerning the welfare of their own beloved country, and the liberty of the press at the same blow destroyed ; and that this foul blow, levelled at the root of liberty, would be struck by men high in power, by our judges and our representatives ; what faith would have been given to predictions so wild, and apparently so unlikely to be fulfilled ? All would have answered, Such things are not to be witnessed in America, until the names and the virtues of Washington and of Jefferson shall be forgotten.

Yet these scenes we now behold. Invasions of the inalienable rights of freemen have become familiar ; we have become accustomed to see the laws of our country and our beloved constitution trampled in the dust ; anarchy and civil discord begin to show “their accursed heads.”

Not long since, at Vicksburg, a number of citizens of the United States were seized and executed without even the pretence of legal authority, contrary to the express letter of the constitution of the United States, which declares, that "no person shall be deprived of life, liberty, or property, without due process of law." Acts equally inconsistent with the constitution and laws of our country have been matters of every day occurrence, but have been regarded as comparatively of little moment, until they had gained the co-operation and sanction of men high in authority.

On the 29th of July, 1835, when the United States mail arrived at Charleston, S. C., it was found to contain large quantities of the publications of the American Anti-slavery Society; whereupon a number of persons assembled about the exchange at between the hours of ten and eleven at night, and with coolness and deliberation made a forcible entry into the post-office by wrenching open one of its windows, and carried off the packages containing these papers, and burnt them in a pile before the citadel. This flagrant violation of the laws of the United States, and of individual rights, soon after received the sanction of a large meeting of citizens, among whom was that arch nullifier, Robert Y. Hayne, who had before been engaged in an attempt to destroy the authority of the government of his country. By this meeting a censorship of the press was virtually established, and a committee of twenty-one appointed *to take charge of the United States mail*. At this crisis the Postmaster at Charleston, contrary

to an express statute of the United States, and contrary to the oath which he had taken to act in conformity to such statute, arrogated to himself the power to detain in his custody the publications and papers on the subject of slavery, and asked for instructions from the Postmaster General, which the duty of the latter required him to give.

This extraordinary and illegal act of the Postmaster at Charleston, it was justly supposed, would meet with the unqualified condemnation of the Postmaster General, and that he would, as his duty required, immediately direct the Postmaster at Charleston to forward and deliver these papers to the persons entitled to them, and thus sustain the public confidence, so necessary to be reposed in this important branch of our system, vindicate the supremacy of the laws, and the authority of the national government.

All men of intelligence could see that the act upon which Amos Kendall was called upon to give an opinion was unlawful, and of such dangerous tendency, as called for the loudest censure, and it is believed that such could not but have been the almost unanimous judgment of the people in the non-slaveholding states, had not the act been sanctioned by some higher authority to which cringing office-seekers are accustomed to bow and sue for favours.

It is unnecessary to inquire into the motives which actuated Mr. Kendall in making up his judgment upon the question referred to him; it will be sufficient for the purpose of determining the degree

of influence which his conduct ought to have upon the public mind, to present him in the following strange predicament, in which he is placed by his answer to the Postmaster at Charleston, bearing date August 4, 1835.*

After stating the case, he says, "Upon a careful examination of the law, I am satisfied that the Postmaster General has no legal authority to exclude newspapers from the mail, nor prohibit their carriage or delivery on account of their character or tendency, real or supposed. Probably it was not thought safe to confer on the head of an executive department a power over the press, which might be perverted and abused. But I am not prepared to direct you to forward or deliver the papers of which you speak." After recapitulating what the Postmaster at Charleston had informed him respecting the papers in question, he says, "By no act or direction of mine, official or private, could I be induced to aid knowingly in giving circulation to papers of this description, directly or indirectly. We owe an obligation to the laws, but a higher one to the communities in which we live; and if the former be perverted to destroy the latter, it is patriotism to disregard them."

A most appropriate answer to Mr. Kendall's sentiments was given in the New-York Evening Post, an administration paper, and one which has ever been uniform and unbending in the course it has pursued. These are its words:—"In giving place to the above letter, we cannot refrain from accom-

* See Appendix, No. I.

panying it with an expression of our surprise and regret, that Mr. Kendall, in an official communication, should have expressed such sentiments as this extraordinary letter contains. If, according to his ideas of the duties of patriotism, every Postmaster may constitute himself a judge of the laws, and suspend their operation, whenever, in his supreme discretion, it shall seem proper, we trust Mr. Kendall may be permitted to retire from a post where such opinions have extensive influence, and enjoy his notions of patriotism in a private station. A pretty thing it is, to be sure, when the head officer of the Post-office establishment of the United States, and a member *ex officio* of the administration of the general government, while he confesses in *one breath* that he has no power to prevent the carriage or delivery of any newspaper, whatever be the nature of its contents, declares in the next, that by no act of his, will he aid, directly or indirectly, in circulating publications of an incendiary and inflammatory character. Who gives him a right to judge what is incendiary and inflammatory? Was there any reservation of that sort in his oath of office? Mr. Kendall has not met the question presented by recent occurrences at the south as boldly and manfully as we should have supposed he would. He has quailed in the discharge of his duty. He has truckled to the domineering pretensions of the slave-holders. In the trepidation occasioned by his embarrassing position, he has lost sight of the noble maxim—*Fiat justitia ruat cælum*. The course which, by neither sanctioning nor condemning the unlawful

conduct of the Postmaster at Charleston, he has virtually authorized him, and the other Postmasters at the south, to pursue, is neither more nor less than practical nullification. It is worse than that—it is establishing a censorship of the press in its worst possible form, by allowing every twopenny Postmaster through the country to be the judge of what species of intelligence is proper to circulate, and what to withhold from the people. A less evil than this drew forth in former days, the *Aeropagitica* from the master mind of Milton; but we little dreamed that new arguments in favour of freedom of speech and of the press would ever become necessary in our country.”

The insertion of the following letter, taken from the same paper which treats the subject with great ability, and has been the subject of much comment, will be exceedingly appropriate.

TO THE POST MASTER GENERAL.

SIR, A letter has just been published in the northern papers taken from the Richmond Whig, bearing date the 4th instant, and purporting to have been addressed by you to the Postmaster at Charleston. I wish there was reason to believe the publication unauthentic. The sentiments expressed in this communication are of too singular a character, emanating as they do from authority so high, to be passed over with the little attention as yet given to them.

The Postmaster at Charleston, an agent appointed simply for the purpose of receiving and distributing

communications through his office, receives packages of papers addressed to private individuals, which he deems "inflammatory and incendiary—insurrectionary in the highest degree." I know not, in the first place, how he arrived at this knowledge of the contents of sealed packets, unless by a violation of his duty, which is certainly not to examine the contents of communications. But waiving the question as to the manner in which he obtained his information, instead of discharging his plain and positive duty, that of distributing them to such persons as should ask for them, he is intimidated by a mob, and resolves to write you for instructions. Your reply is the letter above alluded to.

You commence by expressing yourself *satisfied* "that the *Postmaster General* has no legal authority to prohibit the delivery of newspapers on account of their character or tendency real or supposed: *probably* it was not thought safe to confer on the head of an executive department power over the press which might be perverted or abused." *Probably*, as you say, sir, it was not. It is indeed probable from an impartial survey of the history of this country that it was not intended or meant to make the Postmaster General, Censor of the Press. It is indeed probable that it was not meant to make him the sole arbiter of what intelligence should be transmitted among the people. You were safe, sir, in using the word "*probably*." Still you seem not altogether to have abandoned the idea, for you say "none of the papers detained have been forwarded to me, and I cannot judge for myself of their cha-

racter and tendency.”—Where do you find, sir, that papers must be forwarded to the Postmaster General for his approbation? Where do you find that he is to judge of the offensive or harmless bearing of what the people choose to write, print, and put in the public mails?

And yet although you disclaim the right for yourself, you go on to grant to your subordinate agent, who derives his official existence from you, the very same power. Excuse me, sir, if I say that this conduct is not so direct and straight forward as your previous career had led us to expect. You say, “I am not prepared to direct you to deliver the papers of which you speak. None of the papers detained have been forwarded to me. Your justification must be looked for in the character of the papers detained, and the circumstances by which you are surrounded.” That is to say, though I have no power to determine what shall or shall not be carried by the public mails, yet you, and every other Postmaster, in city, town, or village, may refuse to deliver any communication that you or he shall consider “inflammatory and incendiary—insurrectionary in the highest degree,” and provided they are so, then you have nothing to fear. And who shall decide that they are so? Why of course the Postmaster General—the only superior of the Postmasters; and so, sir, in a round about way, you do in effect, constitute yourself what you in a former paragraph protested you could not be—a Censor of the press.

You say, “the Post-office was created to serve the people of each and all of the United States, and

not to be used as the instrument of their destruction." Sir, the Post-office was created for the transmission of intelligence, and its agents from the stage drivers up to the Postmaster General, have but one duty to perform, the regular transmission and delivery of every thing put into the separate offices.—The moment this plain principle is lost sight of, that moment abuses will spring up at every step. Whig Postmasters will stop Jackson papers, Jackson Postmasters will suppress whig papers, slaveholders will burn abolition documents, and abolitionists will destroy colonization manifestoes. The Charleston Postmaster had no more right to suppress the mail from regard to the wishes of the citizens of that place, than the steamboat captain had to throw it overboard, and in winking at his imbecile conduct, you, sir, have established a dangerous precedent.

You go on, sir, in a still more illegal tone to say: "By no act, or direction of mine, official or private, could I be induced to aid, knowingly, in giving circulation to papers of this description, directly or indirectly. We owe an obligation to the laws, but a higher one to the communities in which we live, and if the former be perverted to destroy the latter, it is patriotism to disregard them." As to the first part of this paragraph, I have only to say, that it proclaims distinctly your determination not to perform those duties of your office for which you were appointed, and which you have been sworn to fulfil. Is it possible, sir, that you have yet to learn that your office is purely ministerial, and that you have

no supervision whatever over the communications transmitted through your office?

As to the latter part of the paragraph, it is a text fit for any homily on the blessings of anarchy and the good consequences of riot. What obligation is that we owe, sir, to the communities in which we live higher than that to the laws? Is it the obligation which the Vicksburgh planters have discharged, by murdering a score of their fellow-citizens, or is it the duty that the Baltimore mob is now fulfilling amid bloodshed and pillage and fire? Sir, this sentiment, if carried into effect, disorganizes the Post-office; but that is not all—it sets a precedent of a loose and vicious construction of the social relations in every branch of life.

I desire to believe that this letter was written, sir, under the influence of the excitement and alarm created by the riot at Charleston, but we had hoped from your previous career, that you were made of stuff too stern to be frightened from your propriety by so slight a cause. Depend on it, though this letter may find approbation among the prejudices and fears of the slave-holding communities, it will not be acceptable to the people of the northern states. They have prejudices too—prejudices in favour of freedom—in favour of untrammelled discussion—of private right—of public law—these are the prejudices of the north, and it may not be altogether inexpedient to consult them.

The frenzy of the abolitionists finds no echo here among our yeomanry; but when we are told that our mails cannot travel without the permission of a

committee of the citizens of Charleston, that our publications cannot be transmitted without a passport from the Postmaster General, and that we cannot discuss the questions of the government of the District of Columbia without being threatened with a dissolution of the Union, there is in all this somewhat too much of the law of force, somewhat too much of bravado, to call forth the sympathy, command the respect, or above all, excite the fears of us of the north."

It is needless to say that these publications were of an ordinary character, addressed to respectable citizens at the south, some of them masters of slaves, which they could have taken from the office or not as they chose. If they declined taking them, they could hurt nobody, whatever might be their character. But they advocated the immediate abolition of slavery. To say nothing of the expediency of this measure, the *question*, all will admit, is one of great public moment, and one upon which the philanthropist, the Christian, and the statesman, have a right and ought to speak and write their sentiments; and as well might it be contended, that publications advocating the election of Van Buren, the recharter of the United States Bank, or the reduction of duties on imports, are incendiary and inflammatory, as that those which advocate the immediate emancipation of the slaves are of that character. The truth is, these publications were neither calculated to produce excitement nor alarm, even at the south; had not a hue and cry been raised against them.

The public mind at the south was no doubt somewhat exasperated on this subject; but this state of feeling, it is plain to be seen, was almost wholly produced by the intermeddling of political demagogues, who demanded and endeavoured to obtain a surrender of the liberty of the press, for the advancement of their ambitious schemes. And since the publication of the unprecedented sentiments contained in Mr. Kendall's letter, every effort has been used to produce the highest possible state of excitement, in order that the true character of the publications (as well as the laws and constitution) might be lost sight of, and in the heat of popular indignation condemned without a hearing.

Very few in the now slave-holding states even imagined that the publications referred to were inflammatory or incendiary, or calculated to excite apprehension or alarm, until Mr. Kendall told them so. His conduct was not only uncalled for by the times, but calculated to produce inconceivable mischief. It was the signal for general law-breaking; and it is not so surprising, that soon after Samuel L. Gouverneur, the Postmaster at New-York, should also have arrogated to himself the power to decide what information it is proper to send forth to the public, and have detained in his custody certain publications of the Anti-slavery Society, and asked for the sanction of this same Amos Kendall, which he readily received in his letter bearing date Aug. 22d, 1835.*

* See Appendix, No. II.

It is unnecessary to give the words of this inexplicable document. It sufficiently shows that Mr. Kendall had got into "a fog" in attempting to define the powers of the general government, and of the states. He had undertaken a task, for which he was wholly unqualified; such miserable sophistry as he employs can have little weight upon intelligent minds, though it may have misled the ignorant.

The main point to be considered is, the sanction he gives Mr. Gouverneur for the illegal and dangerous course which he had the rashness to adopt.

The United States mail is the great depository of the public secrets, and cannot be violated under any pretence, without destroying all public confidence in it. The same principle which would justify a Postmaster in searching newspapers and periodicals, and detaining them under any pretence, would justify his opening, and searching, and detaining all sealed communications for the same purpose. There is no end to the abuses which would follow, but the end of the mail, this firmest safeguard of our liberties, which must inevitably follow the adoption of such sentiments by those with whom it is intrusted. But what is most extraordinary, Mr. Kendall admits the act which he approves to be unlawful; and although Mr. Gouverneur had taken a solemn oath to act in conformity to law, he recommends to him to add to his crime perjury, and a perfidious abuse of the authority with which he was invested. In ordinary times, a man of Mr. Kendall's abilities, assum-

ing such an unnatural position, would be looked upon as crazy.

The following remarks are from the Hartford Times, another administration paper of long standing, and the highest respectability : it has been uniform and firm in its adherence to republican principles, and its sentiments upon this, as upon all other subjects of public moment, are entitled to great weight.

“A few weeks since Samuel L. Gouverneur, Postmaster at New-York, assumed the power of inspecting the mails, and prohibiting a portion of the community from exercising the privileges enjoyed by their countrymen and secured by the laws and constitution to every citizen. This officer of the law, has undertaken to make law, and although placed in the situation he occupies *to serve* the people, faithfully and impartially, he arrogantly sets himself up to be master, and presumes not only to command, but to deny, and imprudently invades the *rights* of a portion of the community. The class thus proscribed are the *abolitionists*, whose infatuated conduct cannot be too severely censured ; but who, nevertheless, have *rights*, and those rights ought not to be invaded or destroyed by Samuel L. Gouverneur, or any other individual, public or private. If the abolitionists are in error, and we hold they are, let calm unprejudiced reason set them right. It has been justly said by one of the wisest and soundest statesmen and philanthropists that the world has produced, that ‘error of opinion may be safely tolerated, provided reason is left free

to combat it.' Mr. Gouverneur thinks differently, and has violated the laws, disregarded his oath, invaded the freedom of speech and the press, and the rights of his fellow citizens, because he thinks himself correct and others wrong. He has appealed to the Postmaster General, and we lament that he has met with any countenance from that officer.

"We publish the letter of the Postmaster General—and we do it with undisguised reluctance. It is indefensible in its positions, and such as we should never have expected from Mr. Kendall. We have little doubt that when the excitement of the moment shall have passed away, that Mr. Kendall will himself consider this letter in its true light, and frankly confess his error. There are few men in this country for whom we entertain a higher regard than Amos Kendall, and we have admired that stern, unbending Roman honesty, which has impelled him under trying circumstances, to discharge his duty with fidelity, and maintain the laws and constitution in their purity. This letter, however, is unworthy of him, and must be condemned by every intelligent, independent, and thinking freeman. He commences by telling Mr. Gouverneur there is no authority for the step he has taken—that it is illegal, and yet, in the next sentence he also tells him, 'if I were situated as you are, I would do as you have done.' Is this the language, the advice, the example of a high public functionary, the head of one of the most responsible departments in this government? And is it for a moment to be justified? Certainly not.

"We know that it is said that this is an extraordi-

nary case. We admit that it is so. The proceedings and conduct of the abolitionists, we look upon as reprehensible in the highest degree, and have not hesitated, at all times, and on all occasions, to give them an unqualified condemnation. We have raised our voice against these reckless fanatics, and shall continue to do so on all proper occasions, for we feel it our duty, not only for the cause of our country, but of humanity itself. Every friend of his country, and his race, ought, in our opinion, and in our earnest belief, to put forth his efforts to stay the incendiary and alarming proceedings of these few miserable, misguided and deluded beings who have embarked in this cause, without considering consequences, or studying the laws and constitution of their country.

“But because we condemn these proceedings, shall we excuse doctrines and assumptions, not less alarming in another quarter? God forbid. We cannot and will not justify any public officer in setting the laws at defiance, nor can we excuse the principal who defends and upholds him. Mr. Kendall has done wrong.

“There have been other excitements as well as this. Supposing at the time that nullification was at the threshold of rebellion, the collector at Charleston had come to the conclusion that he would not execute the laws, and refused to collect the duties on those articles that were taxed avowedly for protection. Would the Secretary of the Treasury have been justified by saying to him, in that extreme case, ‘if I were situated as you are, I would do as

you have done? If you violate the laws, or refuse to execute them, you shall meet with no reproof—and certainly shall not be removed by me? Would the Secretary of the Treasury have been justified had he taken such a step? And yet it would have been as correct in him, as it is in Mr. Kendall.

“But we have only glanced, briefly at this document, so far as the legal duties of these public officers were concerned. The *Postmaster* at New-York refused to discharge his duty agreeably to the laws and to his oath, and the *Postmaster General* says, you have violated your trust, but ‘if I were situated as you are, I would do as you have done.’ Was there ever a greater dereliction of duty?

“There are, connected with this extraordinary proceeding, some alarming features. It is virtually establishing a censorship over the press, and restricting its freedom. There is not a press in this country free, if the *Postmaster General* shall be sustained in his positions. What press can open its columns to a free discussion of the question of slavery, without being liable to be thrown out of the mails by the *Postmaster* at New-York, under the sanction and approval of the *Postmaster General*? Is this a state of things that can for one moment be submitted to? Never, never. Freedom is invaded in her citadel by this letter, and were it to be sanctioned, the fortress is sapped.

“We did not intend, when we commenced, to have written twenty lines, but the field is vast. Scarcely have we entered upon the subject, but our limits will not permit us at this time to say more. We

are the less disposed to, because we have such confidence in Mr. Kendall, that we believe he will, on further reflection, and when the feverish excitement of the moment has subsided, retract the sentiments and doctrines, and positions here laid down. But if he shall not, or if sustained by others, we will not participate in this wrong, by defending or excusing the error, or even permitting it to pass in silence—the letter is taking a broad leap to anarchy—and is in itself subversive of the laws and the constitution. It is occupying ground that must never be conceded, while freedom has a home in our valleys, or liberty a resting place in our mountains.”

But Mr. Kendall’s new principles are inapplicable to the present, or any other times, since the foundations of the world were laid. The curse of every government has been a disposition among its subjects to disregard its authority and violate its laws; and never did the spirit of obedience and subordination become so *alarmingly* prevalent in any country, that it was necessary to proclaim from the high towers and battlements of the nation, that the laws were not supreme, but that these ought to be sacrificed to higher obligations.

In a republican government, where the people themselves enact and change their laws at pleasure, so as to meet every emergency, the inconsistency of this doctrine, as well as its dangerous tendency, may be more clearly seen. It leads to the utter subversion of all order and legal authority, and the complete annihilation of government itself.

The people of the American colonies threw off

the yoke of British oppression, because they were subjected to foreign power; laws were *imposed* upon them, to which they had never in any manner assented; the crown claimed the right "to bind them in all cases whatsoever," without their assent; they had no representation or voice in the British councils; their humble petitions for relief, long continued, were wholly disregarded; no possible remedy therefore remained to them but to throw off the yoke of the oppressor. But to adduce this as a precedent to justify the citizens of a republic in violating the laws which they themselves have enacted, and which they can abolish or modify at pleasure, would discover a most culpable destitution of precision, and a degree of weakness that ought to warn the person affected with it never to engage in the argument of questions so grave and so important.

The influence of this doctrine of Mr. Kendall is the more to be dreaded, as coming from the mouth of a high officer of the government, it is calculated to be extensive. The example of modern duelling was set at the French court;* libertinism originated from the same source; their origin gave them extensive influence; they soon became universally prevalent and deep rooted, and will probably remain a lasting curse to the French nation.

Catiline, in his attempt to subvert the Roman government, began by corrupting public sentiment. No government sinks at once from perfect freedom.

* It is said to have arisen from a single combat in the reign of Henry II., at which Henry and his court were present.

into absolute despotism. No tyrant seizes in an instant the reins of absolute rule over a free people, nor first exhibits the iron sceptre which is destined to oppress them; but until he is secure in his authority, his voice is loudest in favour of liberty; and as a patriot and philanthropist, his *professions* distinguish him above all others. The assaults upon a nation's liberty are slow and gradual. Measures are adopted, the result of which are certain, but the tendency of which can be seen by only a few, and that few sometimes interested to favour them. The nation is attacked in its weaker points; at length at some favourable crisis, when some favourite has gained unlimited confidence, and the tendency of measures is disregarded, the great pillars of its defence are removed under some specious pretext, and, like Sampson shorn of his locks, it becomes an easy prey to the enemies of liberty. Sometimes the sentiment is industriously diffused into the public mind, that the laws are not absolutely binding. This sentiment being most acceptable, is greedily adopted, and made applicable to every occasion where a large number of the people shall unite in trampling upon the constituted authorities of the land; insurrections become frequent; anarchy ensues; the people become wearied with disorder and commotion, and gladly shelter themselves under the wings of a despot.

Let it not be supposed that mankind, in the present age, are essentially different in their natures from former times, or that man in America is not the same being, still subject to all the propensities

and passions with man in Europe. Tyrants are as numerous in our beloved country as they were on the eastern continent in former days, but they are now in a measure powerless. It would be foolish indeed to suppose, that this country has not always within its borders, as well as any other country on the globe, political aspirants who are waiting occasion to usurp the reins of authority, and are rejoiced at, and gladly helping forward every measure that shall tend to anarchy. Neither let it be supposed, that a chair of state is more tolerable than a throne, if it be occupied by a TYRANT. It must have been seen that these remarks are intended to show, that we are not perfectly secure against the consequences of sentiments so pernicious as we have lately been accustomed to hear promulgated even from the very threshold of the capitol.

“The constitution and its laws,” says Vattel, “are the basis of the public tranquillity, the firmest support of the public authority, and pledges of the liberty of the citizen. But this constitution is a vain phantom, and the best of laws are useless, if they are not religiously observed. The nation ought then to watch very attentively, in order to render them equally respected by those who govern, and by the people destined to obey. To attack the constitution of the state, and to violate its laws, is a CAPITAL CRIME AGAINST SOCIETY, and if those guilty of it are invested with authority, they add to this crime a perfidious abuse of the authority with which they are intrusted. The nation ought constantly to suppress these abuses with the utmost vigour and vi-

gillance, as the importance of the case requires. It is very common to see the laws and constitution of the state openly and boldly opposed. IT IS AGAINST SILENT AND SLOW ATTACKS THAT THE NATION OUGHT TO BE PARTICULARLY ON ITS GUARD."

But as detestable as Mr. Kendall's new sentiments would have been considered a short time before, and as they really are, after they were promulgated from such a source, and were supposed to have gained the approval of higher authority, they found numerous adherents; and as they suited the purposes of many political aspirants, who are sustained by, and whose influence is exerted principally among that class of the community who are not scrupulous in their obedience to the laws, they were soon boldly and openly advocated. No wonder, then, that this sentiment had in a few days spread its ruinous influence from one end of the country to the other, and that those restless spirits, who are restrained by no principle but fear, were let loose, and emboldened to deeds of violence. No wonder, that in a few days the law-breakers in Baltimore greedily adopted the sentiment, that "they owed a higher obligation to society than that they owed to the laws;" and by their lawless depredations soon clothed that beautiful city with mourning, as an evidence that this obligation had been discharged. No wonder, that every day told the tale of similar violence in every part of our country; of our fellow-citizens tried, condemned, and punished without the colour of law; and that these violations of the constitution of our country, and the most sacred rights of freemen, met

the co-operation and sanction of men of power and influence.

The following narrative is adopted as particularly deserving to be preserved in some durable form, as its correctness has never been questioned to the author's knowledge.

"As my name has obtained an unexpected notoriety, I ask the public attention to my own account of the transactions that have given me celebrity.

"On the first day of last month I left Cincinnati for the purpose of selling the "Cottage Bible," in order, from the profits of the sale, to raise funds sufficient to enable me to complete my education. The largest portion of my books was sent to Nashville by water. I took several copies of the Bible with me, besides a considerable number of the little work entitled "Six Months in a Convent." In packing them into my trunk and the box of my barouche, a number of pamphlets and papers of different descriptions were used to prevent the books from injury by rubbing, intending to distribute them as suitable opportunities should present. Among them were old religious newspapers, anti-slavery publications, numbers of the Missionary Herald, Sunday-school periodicals, temperance almanacs, &c. &c. At Danville, Ky., where a State Anti-slavery Society had been organized some months before, and where the subject of emancipation seemed to be discussed without restraint, besides selling several copies of my books, I parted with a large share of my Anti-slavery publications. In

travelling through that state, I distributed most of my temperance almanacs and other papers above mentioned, including a few tracts on slavery, given to those who were willing to receive them. *I gave none of these to any person of colour, bond or free, nor had I any intention of doing so.*

“Near Gallatin, in Sumner county, Tennessee, I sold a copy of Rankin’s Letters on Slavery. I arrived at Nashville, on Saturday the 18th of July, and took lodgings at the Nashville Inn. The young man who accompanied me, in bringing into the house my books from the box of the barouche, omitted the Anti-slavery tracts and other pamphlets. Their being overlooked did not occupy the attention of either of us, and on Monday morning the barouche was taken to the shop of Mr. Stout to be repaired. In the course of the day Mr. Stout remarked to his workmen, as he afterward informed me, that perhaps, as I came from Cincinnati, I was an abolitionist. On this, one of them commenced rummaging my carriage. In the box he found, among the other pamphlets, a February number of the Anti-slavery Record, with a cut representing a drove of slaves chained, the two foremost having violins, on which they were playing—the American flag waving in the centre, whilst the slave driver, with his whip, was urging on the rear. This added considerably to the general excitement, which I afterward learned, was prevailing in relation to slavery—and in a short time it was noised about that I had been ‘circulating incendiary periodicals among the free coloured people, and trying to ex-

cite the slaves to insurrection.' So soon as the report came to my knowledge, I went to Mr. Stout, and explained to him how it was that the pamphlets had been left in the barouche. I then took into my custody the remainder of them, and locked them up in my trunk. Mr. Stout, on this occasion, told me that the scene represented in the cut was one of by no means unfrequent occurrence—that it was accurate in all its parts, and that he had witnessed it again and again. Mr. Stout is himself a slaveholder, though, as he says, opposed to slavery in principle—a *member*, if not an *elder*, in the Presbyterian church, and one of the committee of vigilance which afterward sat in judgment upon me.

“The excitement continued to increase, and it was soon added to the report, that I had been posting up handbills about the city, inviting an insurrection of the slaves. Knowing all the charges to be false—feeling unconscious of any evil intention, and therefore fearless of danger, I continued the sale of my Bible in and around the city, till Saturday, the 18th day of the month, when, as I was preparing to leave town to attend a camp-meeting, held some eight or ten miles distant, a Mr. Estell, formerly an auctioneer and vender of slaves, at public outcry, in Alabama, met me at the door and demanded ‘*those abolition documents*’ I had in my possession. I replied, he should have them, and proceeded to get them for him. When he made the demand he was under the influence of very highly excited feelings—his whole frame indicating agitation, even to trembling. On presenting the pamphlets, I re-

quested him to read before he condemned them. This seemed greatly to inflame his rage.

"I then proceeded to the camp-ground, where, about two hours after my arrival, I was taken in charge by Mr. Braughton, the principal city officer. I take pleasure here, in stating of Mr. B., that, allowing his conduct to be strictly official, he exhibited to me, throughout the whole of this melancholy affair, the kindest and most delicate deportment. I immediately accompanied him to town, where, on arriving at my boarding-house, I found the mayor, Mr. John P. Erwin, waiting for us. He remarked, he was afraid I had got myself into difficulty, and wished me to appear before the Committee of Vigilance. To this I replied, it would give me pleasure to do so, as I wished it understood just what I had done, and what I *had not* done. He then asked me if I had any witness I wished to have called. My reply was, I knew not what need I had of witnesses, till I had heard the charge brought against me—that I supposed it would be necessary to prove me guilty of some misdemeanor, and not that it should be upon me to prove that I had broken no law. To his demand, if I was ready for trial, I answered, I wished it to take place immediately, as I was anxious to return to the camp-ground.

"We repaired to the court-room, which was at once crowded full to overflowing. The roll of the committee (60 in number) was called, and the names of the absentees proclaimed.

"The meeting being called to order, the mayor stated, that he had caused me to be arrested, and

brought before the committee, in consequence of the excitement produced by the periodicals known to have been in my possession; and that he had also taken into his charge my trunk, which he had delayed opening until my return. The trunk was then produced before the committee, and a motion made and carried, that I should be interrogated as to its contents before opening it. On being interrogated accordingly, I replied, as the trunk was before them, I preferred they should make the examination for themselves. It was then resolved, (the whole house voting) that my trunk should be examined. The officer first laid before the committee a pile of clothing, which was examined very closely—then followed my books, among which was found, one copy of the ‘Oasis,’ one of ‘Rankin’s Letters on Slavery,’ and one of ‘Bourne’s Picture of Slavery in the United States.’ These, I informed the committee, I had put in my trunk for my own perusal, as I wished to compare what had been written with the result of my own observation while in the slave states, and that no individual had seen them besides myself. A careful inspection was made of the books also. Then was presented my business and private letters, which were read with eagerness, and much interest. Extracts were read aloud.

“Among them was one from a letter received from a very aged and venerable lady, running thus:—‘Preached a stream of abolition two hundred and fifty miles long,’ in travelling from Cincinnati to Cleveland. Great importance was attached to this,

Another spoke of the 'inconsistency of celebrating the 4th of July, while so many among us were literally in bondage.' Another, from a letter of Mr. Ensign, (a gentleman well known to entertain no very favourable sentiments for abolitionism) which, after urging me to diligence in the sale of my Bibles, (obtained from him) jestingly concluded, 'Now don't spend more than half your time among the niggers.' This was cheered by the crowd. The last was from the letter of a friend of mine, a minister of the gospel, who remarked that on visiting his friends at the east, abolition had been the principal topic of conversation that day, and he had preached on slavery at night!

"Great stress was laid on these extracts, and I was questioned very minutely, as to the authors of the letters. They laboured much to prove I was sent out by some society, and that I was, under the guise of a religious mission, performing the odious office of an insurrectionary agent.

"My journal was next brought in review, but as it had been kept in pencil mark, the memoranda short and hastily written, it served them very little purpose. It was laid down again by the Mayor who had attempted to read it aloud with this remark—'It is evidently very hostile to slavery.'

"A witness was now called forward by whom it was proved, that an Anti-slavery periodical of some kind had been left by some individual on the counter of the Nashville Inn. That it was left with a copy of the Cottage Bible, at the time I arrived. On being questioned by me, it turned out to be a

number of the Emancipator, used as an envelope, or wrapper to the Bible, other witnesses were called, but this was the substance of all they proved against me.

“It was conceded without hesitation on my part, that I had sold a copy of ‘Rankin’s Letters,’ in Sumner county, and that I had read to Mr. Cayce, at his request, the number of the ‘A. S. Record’ before mentioned, which he said contained nothing that any candid man, and especially any Christian could gainsay. The chairman of the committee asked me if I remembered the *places* where I had circulated Anti-slavery tracts. Thus, by the form of the question, as well as by the manner, making the impression I *had* circulated them *somewhere*, and that the fact of my having done so was known to the committee. To this I replied that what I did, I did openly—that I had not distributed any Anti-slavery publications whatever in Tennessee, except the one above mentioned, and that, if any had been found under circumstances calculated to throw suspicion on me, it was a device of my enemies. On being interrogated as to my former connexion with Lane Seminary, I informed the committee that I had been a member of that institution as well as of the A. S. Society, formed there more than a year ago; and that I had voluntarily withdrawn, and had received an honourable dismissal from the same.

“A handbill was next produced, and I was asked if I had ever seen it. After having examined it, I replied I never had. I was then asked with strong

emphasis, if I was *sure* I had never seen a copy of it. I again replied I was *sure* I never had. I was asked a third time, with a provoking and still stronger emphasis, if I was *positively sure I had never seen any thing of the kind*. I again took it into my hand and after examining it more minutely, *again replied, I was positively sure I had never seen any thing of the kind*. The trial continued from between four and five o'clock, P. M. till eleven o'clock at night, when I was called upon for my defence. The perplexity I must have felt in making it may well be imagined, when it is recollected that I was charged not with transgressing any law of the state or ordinance of the city, but with conduct to which, if the law had attached the penalty of crime, its forms were totally disregarded, and this too, before an array of persons banded together in contravention of law, and from whose mandate of execution there was no appeal. However, I took the opportunity thus offered to declare fully my sentiments on the subject of slavery. Whilst I told them I believed slaveholding to be inconsistent with the gospel, and a constant transgression of God's law, I yet said, that in bringing about emancipation, the interests of the master were to be consulted as well as those of the slave. And that the whole scheme of emancipation contemplated this result, that the slave should be put in possession of rights which we have declared to be inalienable from him as a man; that he should be considered as an immortal fellow being, entrusted by his master with the custody of his own happiness, and accountable

to him for the exercise of his powers; that he should be treated as our *neighbour and our brother*. In reference to my demeanor towards the slave, that in the few instances in which I had casually conversed with them, I had recommended quietness, patience, submission; teaching them to 'render good for evil,' and discountenancing every scheme of emancipation which did not, during its process, look for its success in the good conduct of the slaves whilst they remain such, and to the influence of argument and persuasion addressed to the understandings and consciences of slaveholders, exhorting them to obey God in doing justice and showing mercy to their fellow men.

"After my remarks were ended, the crowd were requested to withdraw whilst the committee deliberated on the case. In company with a friend or two I was directed to a private room near at hand, to await their decision. Up to this period during the whole proceedings my mind was composed, my spirits calm and unruffled; nor did I entertain the most distant apprehension there would be so flagrant a violation of my rights as an American citizen, and so deliberate an attempt to dishonour me as a man.

"In this confidence I was strengthened by the consideration of all the circumstances of the case. What I had done, I had done openly. *There was no law forbidding what I had done*. I had contracted no guilt that the law considered such—my intentions had been those of kindness to all—I had no secret feelings of guilt, arraigning me before the bar of my conscience for any mean or clandestine

movement. In addition to this, too, among my triers, there was a great portion of the respectability of Nashville. Nearly half of the whole number, professors of Christianity, the reputed stay of the church, supporters of the cause of benevolence in the form of Tracts and Missionary Societies and Sabbath-schools, several members, and most of the elders of the Presbyterian church, from whose hands, but a few days before, I had received the emblems of the broken body and shed blood of our blessed Saviour. My expectations, however, were soon shaken by Mr. Braughton's saying on entering the room where I was, that he feared it would go hard with me—that, whilst some of the committee were in favour of thirty-nine, others were for inflicting one hundred lashes, whilst others still thought me worthy of death. My suspense was at length terminated on being summoned to hear the decision; it was prefaced by a few remarks of this kind by the chairman, 'that they had acted with great caution and deliberation, and however unsatisfactory their conclusion might be to me, they had acted conscientiously, with a full recognition of their duty to their God'—that they had found me guilty, 1st, 'of being a member of an Anti-slavery Society in Ohio: 2d, of having in my possession periodicals published by the American Anti-slavery Society: and 3d, 'they BELIEVED I had circulated these periodicals and advocated in the community the principles they inculcated.' He then pronounced that I was condemned to receive twenty lashes on my bare back, and ordered to leave the place in 24 hours.

[This was not an hour previous to the commencement of the Sabbath.]

The doors were then thrown open, and the crowd admitted. To them it was again remarked, that 'the committee had been actuated by conscientious motives; and to those who thought the punishment *too severe*, they would only say, that they had done what they, after *mature deliberation*, thought to be right; and to those who thought it *too light*, they must say, that in coming to their decision the committee had regarded not so much the number of stripes, as the disgrace and infamy of being publicly whipped.' The sentence being again repeated, it was received with great applause, accompanied by stamping of feet and clapping of hands.

"The chairman then called for the sentiments of the spectators in reference to their approbation of the decision of the committee, desiring all who were satisfied with it, and would pledge themselves that I should receive no injury after the execution of the sentence, to signify it in the usual way. There was no dissenting voice.

"The chairman then expressed in terms bordering on the extravagant, his high gratification of the sense of propriety that had been manifested in the conduct of the meeting, and that so much confidence was placed in the committee. The crowd was now ordered to proceed to the public square, and form a ring.

"I had been assured that my trunk, with all its contents, as they were taken out, should be returned

to me. But while the crowd were leaving the house, Mr. Hunt, editor of the Banner, and, as I am informed, an emigrant from New-England, where he was born, set himself busily to work to secure in his own hands my journal, sketch-book, business, and private letters, &c.

“By no one concerned in the whole proceeding was there so much exasperated feeling shown as by Mr. H. It was now displayed in the pale, death-like countenance, the agitated frame, the hurried, furious air with which he seized the papers, and tied them up in his handkerchief, clinching them in his hands, and at the same time eyeing me with an intense yet vacant gaze, bespeaking not only rage, but a consciousness of doing wrong. Of my papers I have heard nothing since Mr. H. took them into his custody.

“I entered the ring that had been formed; the chairman (accompanied by the committee) again called for an expression of sentiment in relation to the sentence passed upon me; again the vote was unanimous in approbation of it, and again did he express his gratification at the good order by which the whole proceeding had been characterized. While some of the company were engaged in stripping me of my garments, a motion was made and seconded that I be exonerated altogether from the punishment. This brought many and furious imprecations on the mover's head, and created a commotion which was appeased only by the sound of the instrument of torture and disgrace upon my naked body.

"I knelt to receive the punishment, which was inflicted by Mr. Braughton, the city officer; with a heavy cowskin. When the infliction ceased, an involuntary feeling of thanksgiving to God for the fortitude with which I had been enabled to endure it arose in my soul, to which I began aloud to give utterance. The death-like silence that prevailed for a moment, was suddenly broken with loud exclamations, 'G—d d—n him, stop his praying.' I was raised to my feet by Mr. Braughton, and conducted by him to my lodging, where it was thought safe for me to remain but for a few moments.

"And though most of my *friends* were at the camp ground, I was introduced into a family of entire strangers, from whom I received a warm reception, and the most kind and tender treatment. They will ever be remembered with grateful emotions.

"On the ensuing morning, owing to the great excitement that was still prevailing, I found it necessary to leave the place in disguise, with only what clothing I had about my person. Leaving unsold property to the amount of nearly three hundred dollars, and sacrificing at least two hundred on my barouche, horse, &c., which I was obliged to sell. Of my effects at Nashville, I have heard nothing since my return, though I have frequently written to my friends concerning them.

"AMOS DRESSER."

"*Cincinnati, Aug. 25, 1835.*"

This monstrous violation of the constitution of the United States, it must not be forgotten, was committed, not by a gang of drunkards, or by those who are ignorant of their duties and obligations; neither was it perpetrated in the heat of passion, but coolly and deliberately by a committee of sixty individuals, some men of note. If no men of character had been engaged in it, it would have been comparatively of little moment; but as the case is, the example for all men to violate the law, which had before been set has gained greater influence. At such an indignity, committed in almost any country in Europe, "ten times ten thousand swords would have leaped from their scabbards."

But this is not all; it is well known that the sentiment, that we are subject to higher obligations than those which we owe to the laws, has become so prevalent, that no man who is an abolitionist can travel in the southern states, on his lawful business, without endangering his personal safety.* Nay, the safety of our own citizens, of the non-slaveholding states, is endangered by HIRED RUFFIANS who have been employed to transport them to a distant state, to be condemned and put to death for no crime but for exercising the inalienable rights of man. The following advertisement will speak for itself:—

TO THE EDITORS OF THE CHARLESTON COURIER.

Beaufort, (S. C.) Aug. 13, 1835.

"GENTLEMEN,—I am directed by the society of which I am the corresponding secretary, to request

* See Appendix, No. VI.

you to publish, for a few times, the following resolve :—

“ At a meeting held this day, Saturday, the 15th August, Judge LYNCH presiding, it was resolved by a large majority, that the sum of *two thousand dollars* will be paid by this society to whomsoever will deliver to the respective chairmen of these societies, in Georgetown, Charleston, Beaufort, Savannah, Augusta, or Darien, the bodies of either of the four well-known incendiaries among the northern abolitionists, or that of their late visiter.”*

“ VERITAIN, Sec.”

The four individuals referred to are the editors of anti-slavery publications; and the above advertisement is a fair specimen of the mode of argument which is employed to refute their doctrines. O Reason! whither art thou fled, when brutal force, malignant hate, and dire revenge, usurp thy sway!

In the southern states, it cannot be denied, the public mind is highly excited against the abolitionists; and while we cannot too much condemn the violent and unwise conduct of some of the southern people, we should take care, and trace this excitement to its true source.

It must not be supposed, that so much concern is manifested about the movements of the abolitionists, without some political end in view. It is among the friends of Mr. Van Buren that the most violent opposition to the abolitionists exists; and although the leading men of his party declaim against uniting

* This advertisement was published in the southern papers. Many others of a similar character have appeared in the public journals of the south with approbation.

the question with politics, yet opposition to the abolitionists (*until after the election*) is already an article in their creed. This will be seen by referring to the resolutions adopted by their conventions, as well as the uniform course of most of the leading partizans. Now it is plain to be seen, that the design of all these movements is to quiet the fears of the south, and gain their support; because the course which the party have recently pursued is utterly at variance with the fundamental principles of democracy. Some of these leading partizans are capable of any deception and fraud, which will subserve their views.

Will the southern people be so foolish as to suppose, that the same course of measures respecting the question of slavery, which are now adopted for the purpose of promoting Van Buren's success, are to be carried out after his election? If they are, they will be sadly disappointed. His speech at the Herkimer Convention, as well as his uniform declarations heretofore made, will undeceive them on this subject, if they are now deceived.

It is high time that the inhabitants of the north and the south understood the deception that is attempted to be practised upon them. If it should be said that these political movements are sustained by some whigs, the answer is, that every instrument which can be of any service will *be used*.*

* The author would not be understood as being opposed to Mr. Van Buren's election. He intends only to protest against the base deception which is practised toward the south, and against sacrificing the liberties of the whole nation to promote his success. Con-

II.

AFTER having said thus much respecting the cause of the excitement upon the subject of slavery, and the origin of the propensity to violence that now prevails, one important feature of the Lynch Law system ought not to be passed over in silence.

All who have been conversant with the subject must have observed that in most cases of late, the law breaking, or proceedings of Judge Lynch has been carried on in the most systematic manner, with all possible regularity and solemnity. The proceedings is on this wise. A meeting of citizens is called, at which care is sometimes taken to have a large number of boys and drunkards, enough to constitute a *clever mob* who are ready to set up a roar of laughter, cheering, hissing, or yelling at the signal of their leader; when this class attend, every thing is carried by them, and nobody observes whether the voices come from the rabble, or from respectable citizens: of course the proceedings are ascribed to respectable citizens. The most inflammatory speeches are then made, and the rabble understand well that their duty is to act according to the spirit of the speeches, and not according to the letter of the request is purchased at too dear a rate when we have to give up every thing valuable in life to obtain it.

solutions, because these being matters of record must necessarily be more temperate. It must be-fore have been observed that the officers of Judge Lynch never act in discharge of those *inferior obligations which we owe to the constitution and the laws*, but only of the *higher obligations which we owe to society*.

After the public mind has been excited to the highest pitch and the rabble have become phrensied with rage and desperation, so that they are ready to rush madly upon whatever design the *chief mover* has in view, in order that the design of violating the laws of the land and the rights of citizens, may be accomplished in the most *genteel* and unsuspecting manner, a committee consisting of a large number of citizens, (some drawn unconsciously into the snare) is appointed who advance with professions of pacific intentions, either preceded or followed by the rabble to the spot where the violence is to be committed, and after having communicated their message, if the rabble do not yet seem disposed to second their views with a sufficient degree of fury and madness, another inflammatory speech is offered by some one of the committee, generally by the chief mover, in which the rabble are taught in this wise; "Fellow citizens, (order! order!) we are the peaceable citizens assembled here to show our indignation at the vile and unpardonable insult which has been offered us (*by some notorious drunkard and rioter*; "yes, we are the peaceable citizens.") "These occasions will find a law for themselves," I hope there will be no violence used, but if there

should be, Fellow citizens, we are not responsible ; we came here as peaceable citizens, upon the heads of those who have insulted us be all the blame ; They have been so foolhardy as to brave public opinion, and they must take the consequences : (by the rabble, "yez, squire's spressed our minds 'zackly ; they must take the consequences, they are responsible, hoop ! hoop ! hussle um out ! hussle um out ! damn um ! ~~down with the hypocrites and fanatics !~~ tear um ! string um !") : At this stage of the proceedings the air resounds with continued yells, and the authority of the committee themselves feigning an effort to be heard, crying "*order ! order ! we are the peaceable citizens,*" is completely nullified.

After the Lynching is finished, the committee return to the meeting that appointed them, followed by their constituents, "*the peaceable citizens,*" and report their doings ; the chairman congratulates the meeting upon the accomplishment of their object in a peaceable manner, with as little violence as was to be expected, considering the excited state of the public mind, and although some little disorder ensued after arriving at the place of action, which the committee were unable to prevent, yet the committee do not hold themselves or their reputations responsible for any mischief that was committed ; the infatuated wretches who had been thus signally dealt with, had brought this mischief upon themselves, and the preservation of their lives and their persons from further injury, they owed solely to the interference and exertions of the committee in their behalf ;" (by the mob, from all quarters, "yez, dam um ! they'd orter be,

thankful that they got off so well, three cheers for the committee!") Here the mob set up a stamping and yelling which makes the earth itself tremble beneath them. Whereupon the meeting after conferring certain discretionary powers upon its officers adjourns, and while the "committee" retire to their homes and are industriously engaged in preparing communications for the public journals in order to forestall public opinion, the "peaceable citizens" assemble together in small squads at the groceries, in different parts of the city, where orders are sometimes given, by some higher in the scale of being than they, that intoxicating liquors shall be dealt out to them in large quantities without money and without price. Here plans are concerted by the *leading ones* who themselves take the precaution to keep sufficiently sober for the transaction of business, for a nightly session of the Terrific Tribunal, and it not unfrequently happens that a terrible scene of devastation and bloodshed follows the footsteps of its *officers*. When matters have progressed thus far, the pacific intentions of these "*peaceable citizens*," are seriously distrusted, and an appeal is made to another class of citizens less peaceable, less patriotic, less virtuous, but who have property and character to preserve; sometimes the *chief* movers of the "*patriotic and peaceable committee*" offer their assistance to protect the lives and property which their conduct has placed in jeopardy, but this is usually rejected with disdain, and here the proceedings end.

Sometimes a few of the principal officers of Judge

Lynch are called to an account by Judge Law, but their *bond of indemnity* is brought into requisition and their fines are instantly discharged, even in case the latter judge should be so fortunate as to find that his chief officers have not superseded their functions by an appointment under the former.

If the people happen to suspect the *honourable the committee* of any participation in the proceedings, *their sins are laid upon the heads of the "scape-goats,"* which immediately run away into the wilderness, and are seen no more, until a similar occasion calls them forth from their hiding-places.

We have seen the principal features which distinguish the *calm, peaceable, and deliberate* system of law-breaking of the present day, and by taking care to keep them in view hereafter, we shall be enabled to detect the fallacious pretences with which it is too frequently excused or palliated, and to discover its authors from beneath the cloaks with which they are covered. But it must not be forgotten that it *has been* reduced to a complete system; that its perpetrators have acquired great tact, and that their designs are usually involved in a degree of mystery, which will require the utmost vigilance of the friends of order to develope them.

It would be strange indeed if the abettors of violence should act openly, especially those who desire to preserve an influence in the community; and it would be equally strange if a considerate mind should judge a man to be honest, because he is covered with a mask. He would look at causes, and their necessary consequences. In judging of a man's

character in this respect, he will carefully observe whether he has avoided the *very first appearance of evil*; whether he has always been seen in the company of the peaceable and the orderly, and has firmly and manfully refused in any manner to participate in proceedings which are calculated to excite the fury of the mob; and whether he has stood up and boldly and fearlessly condemned every attempt to infringe in the least degree the constitutional or legal rights of his fellows.

“Birds of a feather flock together,” is an old adage, applicable to men as well as to other animals. Whom do the mob follow to the place of violence? to whose voice do they most attentively listen? Mark that man, and if he addresses the populace, consider the *tendency* of his language and conduct, and not his *professions* of pacific and honest intentions. See who are associated with him. The mob are wise in this respect, and they always have old, practised leaders, notable only for their crimes, to instruct and lead them forward, according to the designs of the *chief movers*: they imbibe the spirit of inflammatory speeches, act accordingly, and know full well that the peaceable *professions*, which must *necessarily* accompany them, are to be disregarded. They remember that the speaker has a character to preserve by his false professions. Let the people be as wise as the mob, and they will easily discover who are the chief movers of riots.

III.

ONE other violation of the laws of our country, and of the constitutional rights of our fellow-citizens, will be adverted to: it is, perhaps, more alarming in its features than any which the friends of our system of government have heretofore been called upon to witness, and the more dangerous in its tendency, on account of the characters engaged in it, and the specious disguises under which the most diligent efforts have been employed to justify or extenuate it.

Allusion is here had to the forcible breaking up of the State Convention assembled at Utica, October 21st, 1835, the seizure of their papers, and the assaults upon its members, committed upon them after they were dispersed, at their lodgings, and while travelling upon their lawful business upon the public highway.

With regard to the sentiments of the Convention, the author does not deem it his duty to speak. It is sufficient that they were there lawfully assembled, to deliberate upon a subject in which, as lovers of their country and its constitution, they felt a deep interest. In this respect, it is believed, all but vile slanderers will accede to them honest and laudable intentions, and as pure and patriotic motives, as ac-

tuated the immortal Jefferson himself, when he exclaimed, in reference to the evil of slavery—“*I tremble for my country when I remember that God is just, that his justice cannot sleep for ever.*”

Previous to the call of this Convention, assemblages of the inhabitants of many of the cities in the United States had been had, in which the citizens (in most cases a majority of them, it is presumed) had expressed their decided disapprobation of the sentiments of the abolitionists. The proceedings of many of these assemblages are characterized by a degree of moderation which does great credit to those from whom they emanated. So far every thing was carried on fairly on both sides of the question.

The abolitionists, by the laws of nature, as well as by the constitution of their country, and their opponents, had an equal right to talk about slavery, which they both exercised, each expressing their own peculiar sentiments. At length, it was discovered by certain political aspirants, that the manner in which the abolitionists talked on the subject of slavery would not at all subserve their ambitious schemes; so measures must immediately be taken to engross to themselves the liberty of speech on this subject, in order that it might be *properly exercised*, and the abolitionists deprived of the right to speak any more upon the subject, unless they would speak on their side of the question.

The subject was accordingly taken up by them in good earnest, and discussed in so loud and boisterous a tone that they hoped to smother the voice of the abolitionists altogether. The latter, however,

were "*so foolhardy*" as to claim the right to think and speak for themselves after all, and moreover many were embracing their sentiments; they were now denounced as misguided zealots, deluded fanatics, and reckless incendiaries, and many who had "*eaten bread with them lifted up their heels against them.*" Nay, they were accused of entertaining schemes hostile to the constitution, and subversive of the long acknowledged rights of the people of the south. So industrious were these bawling politicians, and so extensively were their misrepresentations, and slanders disseminated, that the jealousies of the southern people, who had not taken the trouble to inform themselves in relation to the real sentiments of the abolitionists, but judged from the representations of their adversaries, were, to a considerable degree awakened.

Next comes the protest of the south; then the cry The Union is endangered by the movements of the abolitionists; inflammatory speeches are every where made against them, and as they were not allowed by the agitators to vindicate their characters from reproach, or their sentiments upon the subject of slavery from calumny and falsehood, the very gist of the opposition, being to deprive them of the right to discuss the subject in any shape, it is no wonder that in a little time a high degree of excitement was every where created against them. Though, as no *argument* had yet been found which could prevail against them, they must be put down at all hazards, "*peaceably if possible, forcibly if neces-*

sary," with regard to them it was "*patriotism to disregard the laws.*"

This doctrine, however, must be *cautiously* exercised, and until it should become a little more familiar under some plausible pretext. The constitution after all seemed to secure to the abolitionists in common with others, liberty of speech and thus *prima facie* at least to interpose an obstacle against the use of any means which should deprive them of the use of that liberty.

At last Kendall himself was out done, and amongst the wise and *judicial* sophists the much looked for discovery was made that there were "PRUDENTIAL RESTRICTIONS" upon this liberty, so far as the abolitionists were concerned, and every obstacle being thus removed, they were condemned to everlasting silence. Nothing now remained but to *enforce these "Restrictions."* Previous to the call of the State Convention referred to, a meeting of the citizens of Utica was holden at the court room, in which their decided opposition to the sentiments of the abolitionists was expressed. This meeting was of course composed of the Anti-Abolitionists which compose a large majority although there was a considerable number of the most respectable citizens who were abolitionists. The resolutions although somewhat denunciatory were in other respects temperate and dignified. And it was exceedingly to be regretted, that the Hon. Samuel Beardsley should have employed the occasion to promulgate sentiments that were calculated to produce the consequences which the citizens of that place were after-

ward called upon to deplore. He took occasion to speak of the violent and unwarranted seizure of the U. S. mail at Charleston, and the burning of the anti-slavery papers by the mob, and to justify in express words this gross violation of the law. "*These occasions,*" said he, "*will find a law for themselves. I go revolution when it is necessary.*" And in again adverting to the sending abolition publications to the southern states he remarked, "if other means will not do" (to prevent the sending such papers to the south) "the mail should be blocked up on that subject." These revolutionary sentiments were boldly and manfully opposed by J. A. Spencer, Esq. who had participated in the proceedings, and who deservedly received great and almost universal applause for his conduct on that occasion. The effect of these sentiments, however, could not be easily counteracted. Among a certain class of the community where Mr. Beardsley's influence is principally exerted they were quickly adopted, and "*Judge Lynch*" may be considered to have been then first formally introduced into the beautiful city of Utica. Subsequently a State Convention of abolitionists was appointed to be holden at that place, and the citizens opposed to them were again assembled at the city hall at which meeting the Mayor presided. Here a strong and decided opposition to the holding of the convention at that place was expressed, and although some of the resolutions, had they been less denunciatory, would have done more credit to those by whom they were brought forward, and would better have comported with the candour and moderation of the citi-

zens, yet the proceedings with exceptions only relating to individuals, were mainly carried on with order and decorum. The meeting was addressed by the Hon. C. Hayden and William Tracy, Esq.; the latter while he would tell the people of the south that they were ready to go to their very firesides if necessary to protect them in the enjoyment of their rights, and while he would boldly, but kindly entreat the abolitionists to desist from their movements, still contended for the right of free discussion. "*It is that,*" said he, "*for which our fathers bled.*" Judge Hayden entered into a metaphysical disquisition on the subject of slavery too refined for a work in which only simple and plain truths within the comprehension of all are intended to be stated. Hon. Samuel Beardsley was of course present and remarked as follows :—

"It is but a short time since a numerous and
"respectable number of the citizens of Utica
"expressed their sentiments on the subject before
"us this evening. The views of this city have gone
"forth on the subject, as well as of other cities and
"numerous assemblages in this state. As far as
"the sentiment of the free states have been deve-
"loped, there is the same sentiment against the
"movements of the abolitionists. It is great and
"overwhelming, and we trust will soon put a stop
"to their fanning the embers of the south,

"We have spoken audibly and intelligibly to our
"brethren at the south, and to those around us. But,
"sir, what have we witnessed since the simultane-
"ous expression of the citizens of this city, but an

“act of the most consummate foolhardiness! Sir,
“for what purpose has a State Convention been
“called? To promote the objects they have in view.
“Sir, what are those objects? Mainly to bring about
“the immediate abolition of slavery at the south.
“They seem like downright idiots. No man, in
“his sober senses, can doubt that every movement
“of this kind, instead of elevating the condition of
“the slaves, renders their condition more degraded,
“debased, and oppressive than before. It has here-
“tofore been, and the constant tendency is, to re-
“duce the slave still lower, and make him more a
“slave than he was before. It is clear that this is
“the tendency of the efforts of the abolitionists.

“I do not believe that a man can, with an honest
“heart, with a sound and intelligent mind, take such
“measures, and entertain a belief, or even an expect-
“tation, that they will produce any share of the ob-
“jects which he professes to have in view. And
“why are these abolitionists intent on holding a con-
“vention in this city to promote their designs? It
“is intended to insult us. It is intended to degrade
“the character of the city in the esteem of the world.
“And especially to us, who live here, to treat us
“with the utmost contempt. Insult us to our faces
“where they cannot muster a corporal’s guard.
“They, sir, in contempt of the open, public, and
“express sentiment of this community, come here
“to hold a disgraceful and scandalous assembly, to
“rush in and insult us to our faces with an assem-
“blage of this kind.

“If we were not a peaceable people, perhaps they

“might have an excuse for such downright hardness.
“They will be treated civilly, I doubt not, by the
“citizens of Utica. Not because they deserve it,
“but because it is due to the reputation of the city.
“They cannot claim that they deserve to escape
“castigation.

“These are the objects of these men. The laws
“of propriety forbid that they should come here.
“We are to be picked out as the head-quarters of
“Abolitionism in the state of New-York. As have
“this, I would almost as soon see it (the city)
“swept from the face of the earth, or sunk as low
“as Sodom and Gomorrah. Nothing is due to
“these men if they come here.

“The abolitionists are resolved to press forward
“with their designs, and thus endanger the south
“and our institutions. So a man may contend that he
“has a right to smoke a cigar in my powder-house.
“The inevitable tendency is to sunder the union.
“They intend to hold their meeting in this city, and
“form a State Society. It is designed to fix a deep
“and dark stigma on our name. It is to be recorded
“in history that we are the head-quarters of Abo-
“tion. I wish, sir, they would not select this as the
“place of their meeting.

“It is but a day or two since I saw the names of
“five or six clergymen about Albany, who have
“stated that their names were employed without
“authority. Many have said that their names were
“used without authority, though they do not come
“out and announce it to the world. The question
“is, whether the peace of this union shall be dis-

"turbid or not, and whether we are to be thus de-
graded and disgraced."

At a Republican County Convention, held at Hampton (Oneida Co.) Oct. 15, 1835, among other resolutions the following was adopted :—

"Resolved, That the citizens of Utica owe it to
themselves, to the state, and to the union, that the
contemplated Convention of incendiary individuals
is not permitted to assemble within its corporate
bounds ; that their churches, their court, academy,
and school-rooms, be closed against these wicked
or deluded men, who, whatever may be their pre-
tensions, are riveting the fetters of the bondman,
and enkindling the flames of civil strife."*

Similar resolutions and sentiments were adopted by conventions in other counties ; and the enforcement of the "*prudential restrictions*" against the abolitionists may now be considered to have become a party measure ; but as this unconstitutional crusade against the liberty of speech was a manifest departure from democratic principles, it was foreseen that the firmest adherents of these principles could not easily be betrayed into the measure, and it was justly apprehended that they would be unwilling to make a sacrifice of principle, which, whatever might be the temporary effect, must ultimately prove ruinous to the republican cause.

To provide against these emergencies, the most assiduous care is taken by those interested, to urge

* This was brought forward and adopted on motion of J. D. Leland, County Clerk.

strict adherence to "*party usages*," which is now pretty well understood to mean, that whatever projects a few cunning leaders shall propose, must be sustained by their adherents (for the great body of their supporters have little more control over their own destinies than cattle, which are bought and sold), at all hazards. Nay, many professing great knowledge of "*party usages*," have declared, that if the devil himself were nominated for office, "*the party*" would be bound to yield him their cordial support. The good of "*the party*" requires this, we are told, and to promote the good of the party, we ought to sacrifice houses, lands, friends, country, conscience, religion, and honesty.

After all that had been said and done by the citizens of Utica, application was made to the Common Council by the abolitionists for the privilege of holding their Convention in the court-room. It is unknown to the author by whom the *petition* was presented; but it is known that Robert M'Bride, who voted against it, did afterward say, that he had promised to present the petition. Some of the members of the council entertained doubts as to their legal right to grant the prayer of the petition, but the council were repeatedly assured by the mayor, (Gen. Kirkland, who is a lawyer,) that they had such legal right; but ~~he~~ he was nevertheless opposed to granting it. It was accordingly resolved, by a vote of seven to four, that the said Convention should be permitted to hold their meeting in the court-room.

Of the reasons for or against this vote, this is

neither the time nor the place to speak. None but wilful calumniators will dare to say that the characters of the individuals who voted for the resolution, are not beyond reproach. They are well known in the community where they reside, and are known only to be loved and esteemed. To the most prominent of the four individuals who voted against it, the same remarks will apply. Of the characters of the other three, nothing can be here said with certainty, for the want of information, with the exception of one, whose character, being generally known, will speak for itself.

After this vote of the Common Council, a young man runs about with an inflammatory handbill got up of course by the leading "agitators" against the proceedings of the Common Council. It was signed by many respectable citizens, some without knowing its contents (as they afterward said) who would have declined signing it if they had known the indecent language which it contained. The handbill was published, and posted about the streets in flaming colours, calling a meeting at the court room on the evening of the 17th October.*

Every effort was now used to produce the highest possible excitement, and it is not at all to be wondered at that when the meeting was assembled, the court room was crowded to overflowing, and that "*Satan came also and presented himself among them.*" The lowest dregs of society were also there to show *their* indignity at the vote of the

* See Appendix No. III.

Council. The following resolution brought forward among the rest by Mr. Beardsley, who was now called upon to carry out his "revolutionary" sentiments might foretoken the scenes which were to follow.

Resolved, that this meeting unmoved by passion or prejudice, but influenced only by a just regard for itself and for what is due to the quiet and repose of the whole community, WILL NOT SUBMIT TO THE INDIGNITY OF AN ABOLITION ASSEMBLAGE BEING HELD IN A PUBLIC BUILDING IN THIS CITY, reared as this was by the contributions of its citizens, and designed to be used for salutary public objects, and not as a receptacle for deluded fanatics and reckless incendiaries."

It was well understood that this resolution applied to all *public* buildings in the city whether churches, school rooms, or others. By the next resolution it will have been seen that it became the duty of every citizen to use all lawful and proper measures to prevent the assembling of the Convention at any place. The other resolutions have spoken for themselves.

At this meeting it has been seen that the Mayor was not ashamed to make his appearance, and approbate the proceedings, when the avowed object was to scandalize the body over which he presided, and set at defiance the authority which he officially assured them that they possessed. An amendment to one of the resolutions was offered by Mr. Noyes, so as to disapprove forcible resistance to the meeting of the abolitionists, after which, A. G. Dauby whose influence was principally confined to the

lowest and most degraded class, arose, and after indulging the most inflammatory language concluded as follows:—"For one, Mr. President, I will be here, I will prevent their" (the abolitionists) "coming here, peaceably if I can, **FORCIBLY IF I MUST,**" at which the rabble set up a hooting and stamping which entirely smothered every voice that was raised against the disorders which it was seen must inevitably ensue from the proceedings.

Mr. Beardsley in his violent invectives against the Common Council, and against the abolitionists, exceeded all bounds. "If they" (the abolitionists) "should persist in holding their convention in this city, they were responsible for all the consequences that should follow; If they should be permitted to hold their meeting here, like the Hartford Convention, it would fix a lasting stigma upon the fair name of the city; He would rather that the place should be consumed with fire, even with fire from Heaven; he regretted extremely that he could not be present at the meeting on the 21st, to which this meeting was to be adjourned: he expected to be at Albany, and perhaps should not return in time to attend." It was resolved that the meeting when it adjourned, should adjourn to meet at the court room* at 9 o'clock A. M. on the day when the convention should assemble, and this was pronounced with such emphasis, and

*It will be remembered that this is the room granted by the Common Council for the meeting of the State Anti-Slavery Convention, and that the avowed object of the leaders in this meeting was, forcibly to resist the public authorities, in which it will shortly be seen they were successful.

with such an insinuating air by Mr. Beardsley, by whom the resolutions were read, that his designs could not be mistaken by the rabble, who were to carry them into effect.

Every reasonable mind who was acquainted with the means that are made use of to raise a mob, saw full well that the city was to be disgraced with tumult and disorder. That such was the result to which the conduct of Beardsley and Dauby tended, no man in his senses could for a moment doubt. Here, when the office holders, and others who had selfish and designing views dared not to lift up their voices against these disgraceful proceedings, the patriotic voice of the mechanic, one after another, was raised in defence of the constitution of his country,* but the cry of the mob "put him down! hussle him out!" was instantly raised, and his appeal to their pride as freemen! was made in vain, for his voice was smothered amidst the loud yells, and confusion which ensued.

After this meeting many of the reflecting citizens became sensible to the degradation which had been brought upon them, and which still awaited them for the purpose of satisfying the political schemes of a few individuals *too small* in number to constitute a "corporal's guard."

It ought to be observed, that when the disposition of the adversaries of the freedom of speech and of the press was discovered, the doors of several of the churches were thrown open to the abolitionists

* Several of the mechanics attempted to oppose the proceedings, but were clamoured down by the sneers of the leading "agitators."

by the trustees and congregations, and they finally elected to meet in the Bleecker street church which was loaned to them by the Trustees and congregation. In the mean time these matters became the engrossing subject of conversation among all classes of the community, and when the 20th had arrived, it was understood that low, degraded, and irresponsible persons from all quarters, had already been warned to make their appearance on the following day, and many had declared their intention to expel the convention at all hazards. So industriously had the excitement been spread, and infused into every living creature that even the boys in the street talked of Lynching and bloodshed, and the very dogs yelped with rage.*

On Tuesday evening the 20th, a conservative meeting was called of "the citizens of Utica who were not abolitionists, but who were nevertheless in favour of maintaining the supremacy of the laws at all times, and under all circumstances, and who were opposed to any abridgement of the right of free and temperate discussion guarantied by the constitution."

This meeting was previously resolved on by a committee of thirty citizens, after full and mature deliberation ; not one of that committee was an abolitionist ; nor had any abolitionist any agency whatever

* These animals, it is said, with many others of no superior grade, followed the leading agitators to their places of rendezvous, and at the conclusion of every speech, as if comprehending what was said by instinct, growled out their patriotic indignation.

in procuring the meeting to be called, as the author is informed by unquestionable authority.

By this time the mob were in some considerable degree organized; and it was alleged that orders had been given at the grog shops that intoxicating liquors should be dealt out to them in large quantities without charge.

When the meeting was assembled, a large number of boys by some means had been procured to attend, and as many vicious, disorderly, and vile wretches who had no character, no name to preserve, had been industriously gathered together for the occasion. David Wager, the candidate for the senate; A. G. Dauby, a low *pettifogger*, who has been little distinguished for his virtues, and R. B. Miller, the District Clerk, who afterward acted such a conspicuous part among the mob, had the audacity to appear at the meeting, although they well knew that they had no right there, and that one of the principal objects of the meeting was to counteract as much as possible the evil consequences which were likely to result from their previous conduct.

After the chairman was appointed, an attempt was made to adjourn the meeting, but this was unsuccessful, and the meeting being fully organized, a committee was chosen to draft resolutions, which committee after retiring for a short time reported to the meeting a series of resolutions,* and after the report was accepted, the question on the preamble and first resolution, being in favour of liberty of

* See proceedings reported in full and officially verified, Appendix No. IV.

remonstrated; they entreated; but in vain; the deed was instantly accomplished, and again the shout of victory was raised.

Alvan Stewart, Esq., and Spencer Kellogg, are gentlemen of the first respectability, and prominent abolitionists. They occupy two costly brick dwellings in an elevated part of the city; these the "agitators" had doomed to destruction. They were, however, invested with a strong force of armed citizens, who were determined to defend them at the risk of their lives,* and moreover, several hundred citizens were collected in the streets, determined to prevent any further violence. When this was discovered, the "agitators" mostly dispersed. It is supposed that many of them followed the members of the Convention to Vernon, and were among those who assaulted them at that place. It has been asserted by some, that the dwellings of Messrs. Stewart and Kellogg were in no danger. This is false. It has come from individuals who are implicated in the infamous transactions of that day. It is well known, that these dwellings would have been levelled with the ground, had they not been defended; at least, it is known that such was the determination of the "agitators."

What has been said, will convey a faint idea of

* The heroism displayed on this occasion, by the wife and eldest daughter of Mr. Kellogg, would have done honour to a more chivalric age. It is said that they persisted, against the entreaties of their friends, in their determination not to leave the house on the night when it was supposed it would be assaulted, but remained, resolved with their own arms, to stand foremost in its defence, and in defence of their country's laws and institutions.

the deeds of this memorable day. But language is insipid when compared with the reality. Even what has here been said, may seem like exaggeration to him who has no heart, no sensibility, no love to the country that gave him birth, or to its boasted freedom, which that day saw trampled in the dust. That day, it is true, is but one among more than a million, which have elapsed since the world was made. It is also true, that the events related occurred principally in Utica; a little city, which was entirely unknown to the ancients, and until then, scarcely known to the moderns. But on this day, and in this humble place, the laws were set at nought, virtue was despised, God was blasphemed, the liberties of America were but an empty name. O that every lover of his country could have witnessed the sadness that reigned upon the countenance of the patriot, when he had seen the enemy in disguise triumphing over the constitution.

We are flattered that these transactions are trifling, unimportant, although few can doubt, that they are brought about by a concert of purpose among men of power, scattered over the whole face of this country. *It was but one day; it was in a little place; it was an extraordinary occasion.* But it was a blow levelled at the root of liberty, which demolished the bulwarks that defended the rights of the citizen. O my country! We shall continue thus to be flattered, that every encroachment upon our constitution is unimportant, until our national ruin unavoidable shall stare us in the face. Let us not be deceived by these subtle devices of our enemies. They would lull us to sleep amid

the most imminent dangers, in order that their hostile schemes may move onward without molestation. "It is against silent and slow attacks that the nation ought to be particularly on its guard."

But let us take one more glance at the conduct of this "COMMITTEE OF TWENTY-FIVE," their names, it is hoped, will long be preserved and associated with the deeds of this memorable day, in order that their children, if perchance they should be subjected to a cruel despotism, and dare not speak their sentiments, may remember that their fathers have contributed to forge the chains that bind them; or if the liberties of their country shall have been restored to a firm basis, they may not boast of their fathers' deeds.

In what way is this deliberate and "peaceable" violation of the constitutional rights of this Convention attempted to be justified? The people will be anxious to know "*what apology can be made*" for this deliberate assault upon their liberties. The "committee" claim the right to rush into this Convention in their own house, interrupt their proceedings, abuse them with odious denunciations, and insolently demand of them to adjourn without day, no matter whether they claim the right to do all this peaceably or forcibly. In either case "*the right thus audaciously asserted is a right to do mischief, disturb the peace of society, excite civil commotion, violate the laws of God, trample upon the constitution, and produce anarchy and bloodshed.*" But all this, we are gravely told, can be done "peaceably." The constitution must be supported. *It must then be supported against "peaceable" and violent attacks,*

But the occasion seems to demand that peculiar notice should be given to the chairman of that "committee." To say that he was not implicated in the violence that was committed, by the encouragement he gave to it, would show at least a want of sense in any individual who witnessed the transaction. To say that he is not guilty of a flagrant and unpardonable encroachment upon the constitutional rights of this Convention, would be denying that which is evident to every one who is acquainted with the facts.

These remarks are not intended to injure the character of that man; they are intended to warn the people that there is real danger when the very fountain of justice is thus polluted. The chairman of this "committee" is the first judge of the county of Oneida, a man who is sworn to keep the peace, and to whom an appeal might be made by the members of that Convention, for the vindication of the insulted law, and their violated rights. Had it not been for the inflexible integrity of the Hon. Hiram Denio,* they might have appealed to the laws of their country in vain. Should the proceedings of that day come up before a grand jury of the county, what charge would this judge be likely to deliver to them in view of the part his associate has acted? He who would expect any thing like impartial justice from such a source would expect a miracle.

* Hon. H. Denio, is Circuit Judge of the fifth Circuit. The author is informed that he refused, in any manner, to participate in the proceedings of this Lynch "Committee," but rejected the invitation to do so with becoming indignation.

Where then shall we go when our judges and our legislators have become corrupt? Shall we appeal to the people? The liberty of speech and of the press is denied. And if we claim the right to assemble together to deliberate upon modes of redress, here we are also assailed. Judge Hayden is also a member of one of the largest and most respectable churches in the State of New-York. Many of the most respectable members of that church are abolitionists. Let him remember when he associates with them around the table of the Lord, and partakes with them the emblems of the Saviour's death, that he is still denouncing them as deluded fanatics, and reckless incendiaries, plotting the ruin of their country; that he has often been engaged in measures which were intended to prevent their fulfilling duties, which they believed they were called upon, by the most solemn and weighty obligations to their God and their country, to perform; and if he repent of nothing he has done, let him appear in his imagination, with them, before the Judge of all the earth, where all judges must be judged, and when he and they shall have gained admittance into that blissful abode where they both hope to enter, let him remember, that he is still denouncing them as deluded fanatics, and reckless incendiaries, and imagine the Saviour standing by and hearing these denunciations with complacency. O God, is this religion! Is this the heaven of the redeemed! No malice has entered into the motives which dictate these reflections. They are intended as a solemn appeal to all Christians, to the principles by which they profess to be

governed, to allay the uncharitable and truly unchristian spirit which prevails. It is in vain to attempt to make men believe in the peaceable religion of the meek and lowly Jesus, and in the regenerating influences of the Spirit of grace, if the disciples of that religion are biting and devouring one another.

With respect to the other individuals who were engaged in the reprehensible doings of the 21st October, they are left to their own reflections. If they are sorry for their conduct, their repentance may allay the reproaches of their consciences, though they can never make reparation for the mischiefs they have done to their country. If they are satisfied with what they have done, let them enjoy that dear-bought satisfaction. The day of retribution will soon come; and though they may at first find many to applaud their conduct, as this blind infatuation subsides, they will gradually sink into silent contempt. The influence of their *conduct*, however, is still felt. It is not the names of the individuals who have done it, but the deed, whose destructive influence is already heard of from the farthest bounds of the republic. Charity will lead us to think that some of these men were ignorant of the consequences of their doings. Such are deserving of pity, for having become the victims of artful seducers, who intended to use them as instruments of their own destruction. It is against the deed and its consequences that we war; their silence will screen them from *personal* attack; but if they place *themselves* in the field, and vainly attempt to justify or excuse a deed, in the perpetration of which the peo-

ple *now* charitably hope they were the *unconscious* instruments, they must expect to expose themselves to the scorn of the virtuous and the good. By this unconstitutional proceeding, carried on by men claiming respectability, a precedent has been established which has emboldened the enemies of freedom, who now begin to act openly, and endeavour to lead on their followers to sustain their mad projects. The fame of this infamous transaction has already re-echoed from the uttermost bounds of the union.

Who would have believed, that in this land of freedom and of laws, such acts would have been approved by men whose opinions we have been accustomed to respect? That even the press itself should have stooped from its elevated and commanding position to sanction measures and conduct so utterly destructive of the principles upon which the liberties of this country are suspended? But, alas! so blind and unconditional has become our adherence to Party and to Favouritism, that we receive without investigation the interested opinions of their corrupt and profligate organs, in regard to public policy, as settled and unquestionable maxims, and support with alacrity every measure which they propose, thus rushing heedlessly on to our own ruin. The monster, Party, is a dangerous enemy in a popular government. Who does not know that by a strong and efficient organization the people may be subjected to a species of dictation more intolerable than despotic rule? Who are they that urge strict adherence to "*party usages*?" They who are opposed to the government of the people. Who de-

sire to govern by party, and to riot upon the spoils? It is by the corrupting influences of party that this most shocking violation of the acknowledged rights of American citizens has gained the approval of many who would sacrifice the laws, the liberty of the citizens, and the constitution itself, to promote their own aggrandizement, or that of some favourite to whom they have become unconditionally devoted.

It is this sanction which it has obtained which renders it so important in its ultimate results. Its poisonous influence has become widely diffused. A precedent is established; how fatal, alas! in its consequences, time alone will reveal. It is a precedent which would well sustain the assemblage of a mob in the capitol of this republic, for the purpose of placing a favourite in the presidential chair. He who would attempt to palliate these deeds of violence, or who would attempt to conceal the fact that they are brought about by a concert of purpose among designing men, is a deceiver.

Numerous are the disguises in which these deceivers will appear. The means which they will employ to corrupt public sentiment will be as various as the minds upon which they have to operate. Let us beware of their wiles, for whatever may be their character or pretences, they are practically our country's most deadly foes.

We have seen who were the chief actors in breaking up the Utica Convention; their names have been recorded in connexion with their exploits. Of some of them this was the first essay at notoriety. They will do well to implore the indulgence of their coun-

try's silence hereafter. Let none of them boast of the deeds of October 21, 1835. "Smothered be the fame of the inglorious action," nor let any claim the honour of an achievement, for which posterity will load them with execrations.

Some profligate journals, which seem not only destitute of honesty, but devoid of all sense of the rules of honour, not satisfied with their disgraceful triumph over the laws and constitution, have the consummate baseness to reproach this Convention with cowardice. What act of this assembly exposes them to such an imputation? Let the reader appear, in his imagination, in the imperial city at a time when its liberties are assailed by a fierce and savage horde from beyond the Alps,* and witness the entrance of this wild and terrific foe into the Forum, where they behold the ancient senators of Rome, who had assembled with a determination to devote their lives to their country's welfare, "seated in their order, defenceless, yet unmoved and undaunted," and he will have a picture of this Convention and their assailants, with this difference, that in the former case the devotion, "majestic gravity, and the venerable looks of these old men, who had for many years served their country in different capacities, awed the barbarous enemy into reverence;" but the UTICA MOB, (with a few exceptions,) sunk by intemperance and vice infinitely lower in the scale of intellectual being, than the untutored Gauls, just sallying forth from their original habitations.

* U. C. 364.

devoid of shame, unawed by the dignity of virtue, had no sense of honour or decency to restrain their brutal rage; and with this difference, that those who assailed the Fathers of Rome fought for their country, its honour, and institutions; but the assailants of the Utica Convention fought against their country, its laws, and institutions. Who were the dastards?

But it is said that the abolitionists are guilty of an act of unexampled temerity, in persisting in their opinions, when "public opinion" is strong against them. Why not silence their tongues by some argument which will convince them of their error? God himself, who is greater than "public opinion," did not make man free, and then exert, or even claim the right to exert, an arbitrary control over the exercise of his reason.

Our country did not confirm to us this freedom, which God has given us, and then give to "public opinion" the right to take it away.

He who is afraid to maintain his opinions against THE WORLD, is unworthy of the honour of an American citizen, is unworthy of the dignity of a man. Is this temerity? Let this temerity for ever be the boast of freemen! It is the temerity which makes despots tremble; which destroys the little less odious tyranny of party domination, maintains the sovereignty of the people, and despoils the political intriguer of his hopes.

The violations of law which have been mentioned, have been considered with the utmost plainness and simplicity. It was necessary the subject should be

thus treated ; no personal animosity has dictated a syllable. The author has been actuated by a deep consciousness of duty to his country. His tongue and his pen are yet unshackled. He claims the right to use them by virtue of a grant from the Author of his being, sanctioned and confirmed by the government under which he has the happiness to live. He is ready to give up his property and his life whenever the good of his country shall require that sacrifice. But the right to the legitimate exercise of his reason he will never surrender. 'The first lesson he was taught in childhood, was to venerate the constitution and laws, with which our country is pre-eminently blessed. Who could have imagined that it would be necessary so soon to defend them against so formidable an attack as that with which they are now assailed.

IV.

BEFORE we proceed further, it may be well to introduce Jefferson's sentiments on the subject of slavery, not for the purpose of showing the doctrines of the abolitionists to be correct, but for the purpose of showing, that if he was yet living, he would not consider it patriotism to deprive them of the right to discuss the subject. "The whole commerce," says he, "between master and slave, is a

perpetual exercise of the most boisterous passions, the most unremitting despotism on the one part, and degrading submissions on the other. Our children see this and learn to imitate it; for man is an imitative animal. This quality is the germ of education in him. From his cradle to his grave he is learning what he sees others do. If a parent had no other motive, either in his own philanthropy or his self love, for restraining the intemperance of his passion toward his slave, it should always be a sufficient one that his child is present. But generally, it is not sufficient. The parent storms, the child looks on, catches the lineaments of wrath, puts on the same airs in the circle of smaller slaves, gives a loose to his worst of passions; and thus nursed, educated, and daily exercised in tyranny, cannot but be stamped by it with odious peculiarities. The man must be a prodigy, who can retain his manners and morals under such circumstances. And with what execrations would the statesman be loaded, who, permitting one half of the citizens thus to trample on the rights of the other, transforms them into despots, and these into enemies, destroys the morals of the one part, and the amor patriæ of the other. For if a slave can have a country in this world, it must be any other than that in which he is born to live and labour for another, in which he must lock up the faculties of his nature, contribute as far as depends upon his individual endeavours to the evanishment of the human race, or entail his own miserable condition on the endless generations proceeding from him. With the morals of

the people, their industry also is destroyed. For in a warm climate, no man will labour for himself that can make another labour for him. This is so true, that of the proprietors of slaves, a very small portion indeed are ever seen to labour and can the liberties of a nation be ever thought secure, when we have removed their only firm basis, a conviction in the minds of the people, that these liberties are the gift of God? that they are not to be violated, but with his wrath; indeed I tremble for my country when I reflect that God is just; that his justice cannot sleep for ever; that considering numbers, nature, and natural means only, a revolution of the wheel of fortune, an exchange of situation is among possible events: that it may become probable by supernatural interference! The Almighty has no attribute which can take sides with us in such a contest But it is impossible to be temperate, and to pursue this subject through the various considerations of policy, of morals, of history, natural and civil. We must be contented to hope they will force their way into every one's mind. I think a change already perceptible since the origin of the present revolution. The spirit of the master is abating, that of the slave rising from the dust; his condition mollifying; the way I hope preparing under the auspices of Heaven, for a total emancipation, and that this is disposed in the order of events, to be with the consent of their masters, rather than by their extirpation.”*

* Notes on Virginia, 298.

The first public movement of Mr. Jefferson, and "the one in all probability," says an able biographer, "whose spirit and object were most congenial to his heart," was the introduction of a bill in the Virginia Legislature "for the permission of the emancipation of slaves." "The moral intrepidity," continues his historian, "that could prompt him, a new member, and one of the youngest in the house, to rise from his seat with the composure of a martyr and propose" this measure "amidst a body of inexorable planters, gave an earnest of his future career too unequivocal to be misunderstood. It was an act of self-immolation worthy the best model of Sparta or Rome. He was himself a slaveholder, and from the immense inheritance to which he had succeeded, probably one of the largest in the house. He knew too that it was a measure of public odium, running counter to the strongest interests and most intractable prejudices of the ruling population; that it would draw upon him the keenest resentment of the wealthy and the great, who alone hold the keys of honour and preferment at home, besides banishing for ever all hope of favourable consideration with the government. In return for this array of sacrifices, he saw nothing await him but the satisfaction of an approving conscience and the distant commendation of an impartial posterity. He could have no possible motive but the honour of his country and the gratification of a warm and comprehensive benevolence. The bare announcement of the proposition gave a shock to the aristocracy of the house, which aroused their inmost alarms. It touched their sensibilities at a

most irritable point, and was rejected by a sudden and overwhelming vote. Indeed," continues this author, "it was but the glimmering of that principle which constituted the polar star of his (Mr. Jefferson's) whole destiny, and which afterward burst with such astonishing magnificence upon the world in that immortal manifesto of his country which proclaimed that 'all men are created equal, and endowed by their Creator with certain inalienable rights.'

"It was the primary development of the workings of a mind which comprehended within the mantle of its benignity every colour and condition of human existence, and which saw beyond the 'rivers of blood' and 'years of desolation,' which intervened, that enchanting vision which flashed upon his earliest musings and kindled his expiring energies—the vision of emancipated man throughout the world."*

From this will be seen the sentiments of this great statesman, who lived where slavery existed, and knew much more of its effects than the noisy demagogues of the north, who are now attempting to justify or excuse it. He hoped that the emancipation of the slaves would take place with the consent of their masters. The mode of emancipation advocated by the abolitionists will appear from their published sentiments.† He well foresaw the deleterious influence which the existence of slavery must have upon the liberties of the whole nation. "Can the liberties of a nation," says he, "be ever

* Life, Writings, and Opinions of Thomas Jefferson, by Rayner.

† See Appendix No. VII.

thought safe when we have removed their only firm basis, a conviction in the minds of the people that these liberties are the gift of God?" We declare that "all men are born free and equal." But we see one half of the inhabitants of our country slaves, and becoming accustomed to this tyranny, we witness it with indifference—we suffer it, and at length approve and sanction it. We believe it right to hold the blacks in bondage. Upon inquiry we can find no difference between black and white, as respects their natural rights. We are therefore compelled to renounce the belief that man's personal freedom is the gift of God, and thus endanger the liberties of the whole nation.

In ordinary times, if any intelligent citizen of this republic, whether he resided north or south of the Potomac, should declare that he had nothing to do with the subject of slavery, his patriotism would be justly distrusted. The recent acts of cruelty and oppression which have brought a reproach upon our national character, and which have resulted directly or indirectly from slavery, have in a slight degree fulfilled what Jefferson foresaw would be its effects. The following extract, taken from a foreign paper of great respectability, will serve to show that foreigners are not unmindful of those occurrences which are bringing a reproach upon our character as a free people.

"For some time past we have received nothing but melancholy intelligence from the United States of America—scenes of disorder and bloodshed, which make us shudder. One would be led to sup-

pose there were neither laws nor magistrates in that country.. What is scarcely credible is, that it is not during the effervescence of a revolution that the people resort to acts of cruelty that fill us with horror, but in a time of profound peace, and under the authority of a constitution recognised by all, the sanctuary of private dwellings is violated. Nothing is heard of but devastation, massacres, and hangings. Instead of closing a gambling house in the regular manner, (provided such a course be justified by law,) or suffering them to remain undisturbed, when allowed by law, the people take upon themselves to execute what they call justice; that is to say, the house is besieged and carried by assault, and its inmates instantly put to death. What is worse, however, and is difficult for Europeans to understand, accustomed as we are, if not to perfect equality, at least to liberty, is the insurrection of the most democratic people on earth, in favour of slavery. The word emancipation alone, imprudently uttered, is a crime worthy of death. The unhappy offender is seized by the people, judged by the people, and the bloody sentence is executed by the people. It appears as if the magistrates do not dare to exercise against the people the authority derived from them. *A nation which prides itself upon being the freest in the universe, is roused to madness in favour of slavery; and in order to maintain it, commits acts which could scarcely be deemed justifiable even in defence of its most sacred rights and independence. The cause of slavery, which is lost in every other country, is popular in America!!*"

The cruelties which are witnessed south of the Potomac, all intelligent and discerning minds must admit, are owing to the corrupting influence of slavery. If these acts of oppression were sanctioned by law, they would be more tolerable ; but this is not always the case ; American citizens, who have committed no wrong against the laws of their country, are often subjected to severe punishment ; life and property are in many cases made to depend upon terms to which a man of honour and independence would scorn to submit—an abandonment of the right to speak his sentiments, the legitimate use of his reason.

Nor is this state of things confined to the slaveholding states. The oppressions which were witnessed there, may have been looked upon in other parts of the country at first, perhaps with horror, afterward with indifference, at length they are justified, and finally imitated and adopted, that attachment which exists between the different members of the republic, and the respect entertained by one, for the laws and institutions of the others, give to each an extensive influence over the whole. We may absurdly deny to the citizens of the north the right to exert their influence in ridding the country of slavery ; but the influence and effects of *slavery* have been felt, and will continue to be felt, in a rapidly increasing degree, in every part of the republic, from the borders of the lakes to the Gulf of Mexico ; and from the shores of the Atlantic to the Pacific coasts ; even the savage tribes will not be entirely free from its influence. No class of individuals, however high

their pretensions to purity, are removed beyond the corrupting influence of slavery; we see this exemplified in an eminent degree, it has even of late found its way into the pulpit; ministers of the Gospel, who, if they had lived in the days of Jefferson, would have been ashamed of such conduct, are apologists for slavery: nay, our blessed Saviour, THE FINAL JUDGE of all, is presented to mankind as its advocate, thus showing a manifest inconsistency between the doctrines of Christ, and the eternal and immutable laws of the SUPREME. But while this great national evil is suffered to exist, and no effort made to remove it, and our children are inhaling the pestiferous atmosphere of the nation which it has corrupted, we are cherishing a viper in our own bosoms. We are not only endangering the liberties of America, but bringing dishonour upon our government and institutions, in the eyes of all mankind. Our acts of oppression, in spite of every attempt to extenuate them, will be seen in their true character; they will be looked upon, notwithstanding the sacred garb of freedom under which it is attempted to conceal them, as the most loathsome despotism.

It is vain, and foolish, to attempt to convince the people in any portion of the country, that they have nothing to do with the subject of slavery. It would be well to convince all, if possible, that this subject ought to be treated with the utmost temperance and forbearance; that slavery existed when the constitution was adopted; that it has been recognised by the whole nation, and that the whole nation ought to contribute with their money, if necessary, to re-

lieve the south of this burden ; that the emancipation of the slave ought to be effected with the consent of the master ; that the national legislature have nothing to do with the subject ; and that the legislatures of the states where slavery exists, ought not to anticipate public opinion. But to attempt to gag them upon this subject, either by law or violence, under the hair-brained pretence that to agitate it will endanger the union, will be as futile as it will be destructive to the existence of the union itself. It will tend to render the union odious, by identifying it with tyranny and oppression, and a renunciation of their dearest rights. Let the weapons of reason only be employed in this contest, and all is safe.

But the abolitionists have been wronged, insulted, abused, deprived of rights which they hold dearer than their lives. A disposition is manifested to push matters to extremities against them. They will not always submit. The proud spirit of the American will revolt. He will not submit to measures which will render him as very a slave as the most degraded African on the southern plantations. In such a contest, on which side would the lover of liberty and the friend of the constitution be found ?

It is far from the design of the author to utter a syllable in favour of the peculiar sentiments of the abolitionists. By a free and unrestrained discussion and deliberation upon the various modes of emancipation, and an intercommunication of the sentiments of the wise and prudent, in all parts of the country,

that which will be most agreeable to the views, and consistent with the interests of the master, and most conducive to the welfare of the republic, will, without doubt, be discovered and adopted. In fine, the author is free to confess, that he is a firm believer in the doctrines and policy of Jefferson; and would inculcate nothing more than his sentiments on *this* subject. That "error of opinion may safely be tolerated, provided reason be left free to combat it."

We have now done with the abolitionists. They have borne a conspicuous part in the treatment of this subject, because they happen to be the class of individuals who are deprived of the rights and privileges which are here intended to be vindicated; and because they have been the subjects of many of the gross transgressions of law, which are intended to be condemned.

There can now be little doubt that a new system of measures, unknown to the framers of our constitution, and utterly subversive of that glorious plan of government under which our country has long prospered, is sought to be introduced. How formidable this attempt has become, the people will judge from the want of respect for the constituted authorities, and for individual rights, which every where appears, and from the specious arguments and pretences which are used to justify their violation. It is certain that this contempt for the constitution, and for the laws of the land, did not *originate* with a drunken mob. Nor did the rabble first inculcate the doctrine that "*a higher obligation is due to society than to the laws,*" or that any "*occasion*

should be left to find a law for itself." These sophisms required greater subtlety than is ever found with the rabble; being peculiarly fitted, however, to the disposition of unprincipled and worthless beings, who have no employment but to commit depredations upon the peace and quiet of the community, it is no wonder that their practical results are seen far beyond the reach of their authors' fame.

It is not intended to misrepresent the sentiments of any man; those which have been spoken of appear at another place in the language of their authors; but facts are candid reasoners, and if they prove these sentiments to be mischievous and destructive in their tendency, it will require a strong argument to sustain them. That the people have a right to disregard the laws which they themselves have enacted, ought to be spurned with indignation: it is not true, under the present government in the United States. Let us hear what Washington says on this subject, in his last advice to the American people.

"To the efficacy and permanency of your union, a government for the whole is indispensable. No alliances, however strict, between the parts, can be an adequate substitute; they must inevitably experience the infractions and interruptions, which all alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay by the adoption of a constitution, better calculated than your former, for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of your own choice, uninfluenced and unawed, adopt

ed upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers uniting security with energy, and containing within itself a provision for its own amendment, has a claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political system, is the right of the people to make and to alter their constitutions of government. *But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and right of the people to establish government, presupposes the duty of every individual to obey the established government.*

“All obstructions to the execution of the laws, all combinations and associations, under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency. They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation, the will of party, often a small but enterprising minority of the community; and according to the alternate triumphs of the different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans, digested by Common Councils, and modified by mutual inte-

rests. However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterward the very engines which have lifted them to unjust dominion."

If any emergency should ever arise in the history of this country, for which there is not a sufficient legal provision, it is far better to suffer the inconvenience until such provision can be made, than to resort to a course which will give rise to sentiments tending to subvert the power of the magistrate; to impair that implicit confidence which the people ought to repose in the government, and finally to anarchy. Our laws are at present so ample in their provisions, that it is scarcely possible to imagine that such an emergency can ever arise. The fact that it is gravely urged by men of sense, that cases are daily arising which justify a resort to illegal measures, and that this disorganizing sentiment is rapidly spreading, proves its dangerous tendency. "*The oppressor may find it very convenient to have no laws or magistrate to keep him in check; but what will the oppressed think of it?*"

It has even of late been intimated that the people may rise up and resist the power of the magistrate, and destroy the authority with which they have invested him.

This doctrine is peculiarly well fitted to the

schemes of aspiring men, who seek to control the popular will by inflammatory declamation, and to remove the barriers which have been set against the usurpation of power.

The aspirant for power endeavours to make the people believe that an occasion may arise, in which it would be *patriotism* to overstep the bounds of the constitution, for he intends, at some auspicious crisis, to seize upon that occasion to fulfil his ambitious designs. It is said the *people* will take care of their liberties notwithstanding; they need no constitution to guard them against usurpation; they will never submit to the yoke of a tyrant. Let us not be unmindful of the design of this canting hypocrisy. This is the favourite theme of the political aspirant. It is one of the most powerful instruments which he employs to accomplish his ends. All experience proves it to be false. There is no safety to the liberties of a nation when the respect for its constitution is destroyed, when its government and laws are not religiously observed. Have not tyrants obtained from the hands of the people, the very instruments which they have used to oppress them, by artfully ingratiating themselves into the popular favour. The constitution and laws are proof against intrigue and deception. They always speak the same language and sentiments, and are not subject to be moved by passion or prejudice. But when the respect for them is destroyed, the bulwarks of our safety are removed; without these restraints the multitude are subject to be led into the most dangerous excesses by designing leaders, who make it their bu-

business to court popular favour in order to pervert it. Upon the ruins of the constitution of a republic the throne of tyranny is most likely to be established. After the confidence of the people in the adequacy of their government is destroyed, in order that no obstacle against usurpation may remain, lest they should be apprized of the peril in which their liberties are placed, the next blow will naturally be leveled against the liberty of speech, and the freedom of the press. Upon this head nearly sufficient has already been said, but, in conclusion, it will be well to consider the nature of this right, which is already sought to be invaded. Heretofore we have been accustomed to consider that the right to speak and publish our sentiments was a perfect right, and that for its abuse we were only responsible to the regular tribunals. But we are now told in effect that this right, of which our nation boasts, is only *imaginary*, that it is a vain phantom, which has long dazzled the eyes of the citizens of this country, but which vanishes into air, when an attempt is made to lay hold of it, that there are certain restrictions upon it, which may be enforced, not by laws, but by an appeal to the hasty and bloody justice of the multitude. But lest these restraints should not be sufficient, we are already threatened with legal restrictions.* What is this right which we so strenuously claim, and from whence did it originate? By **WHAT POWER** was it granted? It is the right to the legitimate exercise of our reason, and it originated in the constitution of mankind. It was granted by the **SOVER-**

* See Appendix No. VI. Messages of the Governors of North and South Carolina, and Georgia.

REIGN OF THE UNIVERSE, that which accords with reason is a law of nature. These laws are given for the benefit of mankind. Our reason is given us to develope them, our mouths to promulgate, and our ears to hear them; we are not even permitted *voluntarily* to abandon this right. We cannot do it without unfitting us for the designs of our existence. What the Roman orator says of right reason, may well be applied to this right for which we are here contending; "it is," says he, "indeed a rule of law agreeable to nature, common to all men, constant, immutable, eternal; it prompts men to their duty by its commands, and deters them from evil by its prohibitions. It is not allowed to retrench any part of this law, nor to make any alterations therein, much less to abolish it entirely. Neither the Senate nor people can dispense with it. * *

* * IT IS THE SAME AT ROME AND ATHENS: THE SAME TO-DAY AND TO-MORROW. It is the same eternal and invariable law, given at all times and places to all nations; because God, who is the Author thereof, and has published it himself, is always the sole Master, Sovereign of mankind. Whoever violates this law renounces his own nature, divests himself of humanity, and will be rigorously chastised for his disobedience, though he were to escape what is commonly distinguished by the name of punishment."* If the natural faculties of man are perverted, he is responsible for the abuse, and in our country the legal remedies are ample. But he

* Passage from Cicero, preserved by Lactantius. Cicero de Republ. apud Lactant. Instit. Divin. Lib. 6, Cap. 8.

can under no pretence be deprived of these faculties or their legitimate use.*

By what right will our legislators attempt to restrain the liberty of speech? Have they derived that power from the people? We claim this right by the laws of nature, and with these laws, neither the senate nor the people can dispense. Will they claim to have received this power from the Deity himself? Let them produce the documents granting it, and we will consent to surrender a right which we cannot now surrender, without exposing ourselves to the just rebuke of heaven. If they had this power, how would they exercise it without establishing a precedent which would eventually be perverted to the destruction of liberty. We hold this right by no precarious tenure. It is confirmed to us by our constitution. Let us declare to all who would infringe this right, that we are determined to vindicate and defend it; that we are ready to die for our country, and for the cause of freedom, but that we cannot, will not surrender a

* We are sometimes told that the *people* can do every thing. It ought well to be impressed upon the minds of the people that their power is not unbounded. There are bounds which have been fixed by the immutable principles of justice. They have no right to do wrong. The liberties of a single individual, which have been guarded by established laws, are sacred, and cannot rightfully be invaded even by the united voice of the whole nation besides. When it shall become the ruling sentiment that the power of the people is unbounded, we may bid a long farewell to the freedom of our country. The tyranny of a single individual is far more tolerable than the tyranny of many. *Power* is the delight of tyrants, but let *justice* be the delight of freemen.

right which constitutes the safeguard of our constitution, the firmest support of our liberties.

But how, we shall naturally inquire, are we to avoid the dangerous crisis to which our government seems to be approaching? How shall we again restore its authority? How shall the supremacy of the laws and constitution, and the power of the magistrate, be vindicated and maintained? How shall the rising spirit of anarchy be crushed, and the liberties of our country established upon a foundation, which shall defy the wily attacks of ambitious men? Only by a firm adherence to the doctrine, that our liberties are the gift of God; that the highest obligation we owe to God requires us to obey his laws; and that the highest obligation we owe to society requires us to obey *its* laws; by flying to the defence of our fellow-citizen, however humble and obscure his condition, against every the least encroachment upon his legal rights; by treating as an enemy, a dangerous enemy, as a traitor to our constitution, the man who shall in any case encourage the redress of grievances, real or imaginary, by popular fury, by throwing off the galling yoke of party domination, renouncing our allegiance to *this* tyrant in disguise, and swearing an eternal and unconditional allegiance to our God and our country. Let this be our motto—“*Perish Commerce, Perish Credit*”—*perish our party, perish Van Buren, perish White, Harrison, and Webster. Perish the spoils of victory, rather than submit to the destruction of our beloved constitution, the ruin of our country, or the reign of tyranny and oppression in whatever plausible shape they may appear.*

APPENDIX.

No. I.

ESTABLISHMENT OF A CENSORSHIP OF THE PRESS.

On the 3d of August a large public meeting was held at the City Hall of Charleston, at the call of the City Council. This meeting appointed a committee of 21 members to *take charge of the United States' mail*, and at a future meeting report the means best adapted to put down the abolitionists. We have not at hand a list of this committee, but suffice it to say, it is headed by Ex-Senator Hayne, and composed of the mightiest men of Charleston. They have already quarantined the mail steamboats, and established a regular *censorship of the mail* itself. They take the liberty to arrest every package which is in their judgment "incendiary."—In the mean time, the following *letter of instructions* to the Postmaster at Charleston has been published :

Post-Office Department, 5th August, 1835.

Sir—My views in relation to the subject of your letter of the 3d instant, may be learned from the enclosed copy of a letter to the Postmaster at Charleston, S. C. dated 4th inst.

Very respectfully, your obt. servant,

AMOS KENDALL.

Edm'd Anderson, Asst. P. M. Richmond, Va.

Post-Office Department, August 4th, 1835.

P. M., Charleston, S. C.

Sir—In your letter of the 29th ult. just received, you inform me that by the steamboat mail from New-York your office had been filled with pamphlets and tracts upon slavery—that the public mind was highly excited upon the "subject—that you doubted the safety of the mail itself out of your possession—that

you had determined, as the wisest course, to detain these papers—and you now ask instructions from the Department.

Upon a careful examination of the law, I am satisfied that the Postmaster General has no legal authority to exclude newspapers from the mail, nor prohibit their carriage or delivery on account of their character or tendency, real or supposed. Probably it was not thought safe to confer on the head of an executive department a power over the press, which might be perverted and abused.

But I am not prepared to direct you to forward or deliver the papers of which you speak. The Post-office Department was created to serve the people of *each* and of *all* of the *United States*, and not to be used as the instrument of their *destruction*. None of the papers detained have been forwarded to me, and I cannot judge for myself their character and tendency; but you inform me, that they are, in character, “the most inflammatory and incendiary—and insurrectionary in the highest degree.”

By no act or direction of mine, official or private, could I be induced to aid, knowingly, in giving circulation to papers of this description, directly or indirectly. We owe an obligation to the laws, but a higher one to the communities in which we live, and if the *former* be perverted to destroy the *latter*, it is patriotism to disregard them.* Entertaining these views, I cannot sanction, and will not condemn the step you have taken.

Your justification must be looked for in the character of the papers detained, and the circumstances by which you are surrounded.

* The obligation that we owe to the community in which we live requires us to conform to its laws, and if any, such as Amos Kendall, shall attempt to pervert these laws, so as to destroy the community that established them, we are to discard these *perversions* and *false constructions*, and not *disregard the laws*. No attempt at perversion, no arts of intrigue, no essay at collusion can shake the fidelity, or alter the spirit and true intent of a written statute of the United States. It is the same at Boston and New-Orleans, the same to-day and to-morrow. We have therefore only to reject all false interpretations, and go right on rendering strict and unqualified obedience to the laws themselves. The idea that one obligation which we owe to the community in which we live requires us to violate others, or in other words, that this community ever requires us to violate its requirements, is too absurd to become the subject of a grave attempt at refutation.

No. II.

LETTER FROM THE POSTMASTER GENERAL CREATING TEN THOUSAND CENSORS OF THE PRESS.

Post-Office Department, 22d August, 1835.

TO SAM'L. L. GOUVERNEUR, Postmaster at New-York :

Sir—Your letter of the 11th inst. purporting to accompany a letter from the American Anti-Slavery Society, and a resolution adopted by them, came duly to hand, but without the documents alluded to. Seeing them published in the newspapers, however, I proceed to reply without waiting to receive them officially.

It was right to propose to the Anti-Slavery Society voluntarily to desist from attempting to send their publications into the southern states by public mails ; and their refusal to do so, after they were apprised that the entire mails were put in jeopardy by them, is but another evidence of the fatuity of the counsels by which they are directed.

After mature consideration of the subject, and seeking the best advice within my reach, I am confirmed in the opinion, that the Postmaster General has no legal authority, by any order or regulation of his department, to exclude from the mails any species of newspapers, magazines, or pamphlets. Such a power vested in the head of this department would be fearfully dangerous, and has been properly withheld. Any order or letter of mine directing or officially sanctioning the step you have taken, would therefore be utterly powerless and void, and would not, in the slightest degree, relieve you from its responsibility.

But to prevent any mistake in your mind, or in that of the abolitionists, or of the public, in relation to my position and view, I have no hesitation in saying, that I am deterred from giving an order to exclude the whole series of abolition publications from the southern mails only by a want of legal power ; and that if I were situated as you are, I would do as you have done.*

* Such are the sentiments of the Postmaster General of the United States. "To prevent any mistake," he has taken special care to expose his rotten principles to the view of the whole nation. Lest Mr. Gouverneur and the abolitionists should after all fail to see his shame, he explicitly confesses that it is the want of legal power alone, that deters him from conduct far more arbitrary, than that which occasioned our disseverance from

Postmasters may lawfully know in all cases the contents of newspapers, because the law expressly provides that they shall be so put up that they may be readily examined; and if they know those contents to be calculated and designed to produce, and if delivered, will certainly produce the commission of the most aggravated crimes upon the property and persons of their fellow-citizens, it cannot be doubted that it is their duty to detain them, if not even to hand them over to the civil authorities.* The Post-

the dominions of Great Britain. He would exclude from the southern mails the whole series of publications which advocate sentiments differing from his own. He would establish a censorship of the press more odious than the world has ever before witnessed. HE CONFESSES THAT IT IS THE WANT OF POWER ALONE WHICH PREVENTS HIS DOING THIS. Mr. Gouverneur has already done it, and he has sanctioned his conduct. "And yet we must bear it in this land of liberty; we must submit." Mr. Kendall proves what the author has before asserted, that there are tyrants in our country as well as in others, who are restrained from acts of the most intolerable oppression only by the "*want of power*."

* If it should so happen hereafter that newspapers, committed to the post-office, should become addicted to going out at nights stealing sheep, or committing robbery, or murder, or any other such heinous crime "*upon the property and persons of their fellow-citizens*," and should be caught in the very act by any person, that person, whether he were a Postmaster or private citizen, would be authorized by the common law, not only to "*detain*" such offending newspaper, but "*to hand it over to the civil authorities*," even without any warrant for that purpose. But in other cases, and even in the foregoing (unless the offending newspaper should be likely to escape in the mean time) it would generally be necessary to apply on oath to a magistrate, and procure his precept to be issued to the proper officer, because the Postmasters do not take the necessary oath to qualify them to execute these duties. In all cases the charges against the newspaper must be verified by the oaths of disinterested witnesses, and moreover the accused newspaper would be entitled to a speedy public trial before an impartial jury, and might claim the right to be confronted with the witnesses against it, to have compulsory process for its witness, and the assistance of counsel in its defence. But until newspapers become addicted to these overt acts of criminality, we shall have to employ another species of weapons in combating their tendency. When Mr. Kendall wrote this clause he undoubtedly looked forward in his imagination to a more improved and highly cultivated state of society, when Postmasters should become omniscient as well as just, so as infallibly to know what consequences "*their contents are calculated and designed to produce, and if delivered, will certainly produce*," and thence to

master General has no legal power to prescribe any rule for the government of Postmasters in such cases, nor has he ever attempted to do so. They act in such case upon their own responsibility, and if they improperly detain or use papers sent to their offices for transmission or delivery, it is at their peril, and on their heads falls the punishment.*

If it be justifiable to detain papers passing through the mail, for the purpose of preventing or punishing isolated crimes against individuals, how much more important it is that this responsibility should be assumed to prevent insurrections and save communities! If in time of war, a Postmaster should detect the letter of an enemy or spy passing through the mail, which if it reached its destination would expose his country to invasion and her armies to destruction, ought he not to arrest it? Yet, where is his legal power to do so!†

From the specimens I have seen of the anti-slavery publications, and the concurrent testimony of every class of citizens except the abolitionists, they tend directly to produce, in the south, evils and horrors surpassing those usually resulting from foreign invasion or ordinary insurrection. From their revolting pictures and fervid appeals addressed to the senses and the passions of the blacks, they are calculated to fill every family with

act justly and impartially. It is much to be doubted whether we shall have such Postmasters during the present generation, at least while Mr. Kendall remains at the head of the Department.

* "Pretty good Indian, one truth to two lies." This is a correct position, except as to the *fact* of Mr. Kendall's *attempting* to prescribe rules, &c.

† Does not the law of nations give this right? By the hypothesis the individual who employs the mail for this purpose is a common enemy, and entitled to no rights or protection under the municipal laws. It is in "*time of war*," and the rules of war must govern, for the belligerents acknowledge no authority but the authority of the God of battles. But is it come to this, that a large and highly respectable class of our brethren and fellow-citizens are proscribed as common enemies, and denied the rights of American citizens? Is an appeal already made to the laws of war? Let it be declared to the world then, by an open and public declaration of hostilities. The abolitionists, if they are treated as a common enemy, are entitled to his privilege. When an appeal is made to laws of war, as between the contending parties, the municipal law must cease, and when the municipal law resumes its authority, the laws of war must cease.

assassins, and produce, at no distant day, an exterminating servile war. So aggravated is the character of those papers, that the people of the southern states, with an unanimity never witnessed except in cases of extreme danger, have evinced in public meetings, and by other demonstrations, a determination to seek defence and safety in putting an end to their circulation by any means, and at any hazard. Lawless power is to be resisted; but power which is exerted in palpable self-defence is not lawless. That such is the power whose elements are now agitating the south, the united people of that section religiously believe; and so long as that shall be their impression, it will require the array of armies to carry the mails with safety through their territories, if they continue to be used as the instrument of those who are supposed to seek their destruction. *

*. All that is here said about the character of these publications, will be passed over with as little notice as it deserves. There is not a particle of proof adduced: all is vague and idle declamation, such as usually emanates from a vacant skull, to supply the place of sound sense, and candid reasoning. Why did not Mr. Kendall approach the *contents* of these papers, and endeavour to show by honest and fair deductions that they are really calculated to produce the horrors which he has here depicted? If he was afraid to take this manly course, the honesty, which the school-boy fails not to know and practise, in argument, ought to have deterred him from publicly bringing this grave and solemn accusation against a large class of his fellow-citizens; a charge which he wanted the capacity or moral courage to attempt to sustain.

But the fact alone that people are enraged to madness against these publications is not sufficient to condemn them. Suppose some leading politicians, among whom, if it is necessary for the purpose of the illustration, we will suppose are some of the principal officers of the government, should establish at Washington an *official, political* paper for the purpose of rendering their reign perpetual, and should also issue in different parts of the country other periodicals of various characters and dimensions, and should distribute their papers and tracts among all classes of people, filled with *inflammatory and incendiary matter*, calculated, as a large portion of the people should honestly believe, to enrage one portion of the community against another on account of their sentiments, to destroy the respect which the people entertain for the constitution and laws, to excite the fury of mobs, internal broils, and civil commotion, and "*to produce evils and horrors supassing those usually resulting from foreign invasion, or ordinary insurrection:*" If it would be right for Postmasters to arrest such publications as these, every citizen would have the same right; but we may rest assured Mr. Kendall would demur to its exercise in such a case

As a measure of great public necessity, therefore, you and the other Postmasters who have assumed the responsibility of stopping these inflammatory papers, will, I have no doubt, stand justified in that step before your country and all mankind.*

as this. Let the people have this right, and the career of Mr. Kendall and his coadjutors would be of short duration; but they neither possess, nor ought ever to desire to possess, a right to violate the laws which they themselves have enacted. Let us again suppose that the immense number of copies of "*Temperance Recorder*," published at the City of Albany, which have been circulated throughout the civilized world, should create among the grog drinkers and grog sellers the highest degree of rage and madness, and that these grog drinkers and sellers, and all in their interest, should hold anti-temperance meetings, pass violent and threatening resolves, declaring that unless that *fanatical* and "*incendiary*" temperance publications, and the "*misguided and deluded*" advocates of the cause, are put down at all hazards, they will not only refuse to support Van Buren, but put to a bloody and indiscriminate massacre of every friend of temperance who should come within the reach of their vengeance; what shall be done in this case? Why, obviously Mr. Kendall must give "an order to exclude the whole series of temperance publications from the mail;" or if he does not, he will be deterred only by the "want of legal power;" and the Sub-Postmasters will have to exclude them "*on their own responsibility*," and get his approbation afterward. But suppose these grog drinkers and sellers, instead of threatening to forsake Van Buren, should bind themselves "under a great curse" to oppose Webster with their whole force, unless all temperance papers should be excluded from the mails, and should moreover threaten to rise up in rebellion against the government. "Ah," says Mr. Kendall, "that alters the case: I must inquire into the affair; and if—and if—the Post-office department is regulated by law, and I have pledged to my country my sacred honour, under the solemnity of an oath, to act in strict accordance with that law. These papers are lawfully in the mails; the advocates of temperance have a right to speak, and unite their sentiments, and send their papers by mail to all who are disposed to take them: and if any class of men get into a rage, and attempt to deprive them of this right, and to dissolve the union and create a great excitement, so as to disturb the quiet of the community and the public safety, the friends of temperance are not to blame for all this, nor ought *they* to be punished; but the punishment must fall upon the wrong doers, upon the agitators of this violence, upon the breakers of the law, the invaders of the rights of their fellow citizens." "*Remember, that resistance with armed force is TREASON.*"

* This conclusion must of course fail, if Mr. Kendall's former positions are unsound.

But perhaps the legal right of the abolitionists to make use of the public mails in distributing their insurrectionary papers throughout the southern states is not so clear as they seem to imagine. When those states became independent they acquired a right to prohibit the circulation of such papers within their territories; and their power over the subject of slavery and all its incidents, was in no degree diminished by the adoption by the federal constitution. It is still as undivided and sovereign as it was when they were first emancipated from the dominion of the king and parliament of Great Britain. In the exercise of that power, some of those states have made the circulation of such papers a capital crime; others have made it a felony, punishable by confinement in the penitentiary; and perhaps there is not one among them which has not forbidden it under heavy penalties. If the abolitionists or their agents were caught distributing their tracts in Louisiana, they would be legally punishable with death; if they were apprehended in Georgia, they might be legally sent to the penitentiary; and in each of the slave-holding states they would suffer the penalties of their respective laws.

Now, have these people a legal right to do by the mail carriers and Postmasters of the United States, acts, which if done by themselves or their agents, would lawfully subject them to the punishment due to felons of the deepest dye? Are the officers of the United States compelled by the constitution and laws, to become the instruments and accomplices of those who design to baffle and make nugatory the constitutional laws of the states—to fill them with sedition, murder, and insurrection—to overthrow those institutions which are recognised and guaranteed by the constitution itself? *

And is it entirely certain, that any existing law of the United States would protect mail carriers and Postmasters against the penalties of the state laws, if they shall knowingly carry, distribute, or hand out any of these forbidden papers? If a state, by a constitutional law, declare any specific act a crime, how are officers of the United States, who may be found guilty of that

* To all this it may be answered, that the laws of the states have no force or validity beyond their own limits, and have no claim to the obedience of any individual residing beyond these limits. This doctrine is too plain to require illustration. If any further answer can be necessary, it will be found in what follows.

act, to escape the penalties of the state law ? It might be in vain for them to plead that the post-office law made it their duty to deliver all papers which came by mail. In reply to this argument it might be alleged, that the post-office law imposes penalties on Postmasters for "*improperly*" detaining papers which come by the mail, and that the detention of the papers in question is not improper, because their circulation is prohibited by valid state laws. Ascending to a higher principle, it might be plausibly alleged, that no law of the United States can protect from punishment any man, whether a public officer or citizen, in the commission of an act which the state, acting within the undoubted sphere of her reserved rights, has declared to be a crime. Can the United States furnish agents for conspirators against the states and clothe them with impunity ? May individuals or combinations deliberately project the subversion of state laws and institutions, and lighting their firebrands beyond the jurisdiction of those states, make the officers of the United States their irresponsible agents to apply the flames ? Was it to give impunity to crime, that the several states came into the Union, and conferred upon the general government the power "to establish post-offices and post-roads."

In these considerations there is reason to doubt, whether these abolitionists have a right to make use of the mails of the United States to convey their publications into states where their circulation is forbidden by law ; and it is by no means certain, that the mail carriers and Postmasters are secure from the penalties of that law, if they knowingly carry, distribute, or hand them out. Every citizen may use the mail for any lawful purpose. The abolitionists may have a legal right to its use for distributing their papers in New-York, where it is lawful to distribute them ; but it does not follow that they have a legal right to that privilege for such a purpose in Louisiana or Georgia, where it is unlawful. As well may the counterfeiter and the robber demand the use of the mails for consummating their crimes, and complain of a violation of their rights when it is denied. *

* This is emphatically "darkening counsel by words without knowledge." What confusion of thought is here evinced ? Very few would suspect that this was meant for reasoning. The question presented is this—Will the laws of the United States protect mail carriers and Postmasters in yielding obedience to their requirements, when they are contravened by state laws, as in the

Upon these grounds a Postmaster may well hesitate to be the agent of the abolitionists in sending their incendiary publications

case in question? Are these laws of the United States constitutional? This is not denied. It is doubtless admitted, for Mr. Kendall and every Postmaster have taken an oath to support and obey them. Will Mr. Kendall dare pretend that these laws are not within the powers of the general government? Why then did he take an oath to support them, an oath which he knew he must violate? Will he confess that his views on the subject of their constitutionality are changed? Will he, in short, boldly assert that the laws regulating this establishment are void, and that he has hitherto acted without authority? But no attempt has been made to show that the general government, in enacting these laws, exceeded its constitutional powers.

Until, therefore, Mr. Kendall acquires boldness to make this attempt (when he will doubtless be met in due form), we must take it for granted that these acts of Congress, regulating the carriage and delivery of newspapers, periodicals, and pamphlets, are "THE SUPREME LAW OF THE LAND," and that "*the judges in every state will be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding.*" But Mr. Kendall inquires—If a constitutional state law should come in collision with this supreme law, which must yield? Profound logic—If an irresistible body should rush headlong against an immovable body, what would be the effect? which must yield? Wonder, O ye philosophers, and be astonished, ye knights of thunder! We can imagine no other effect from such a collision than a great noise, like the effect of Mr. Kendall's irregular and

strange cogitations. But which must yield? We shall be relieved from deciding this question, and that presented above, by remembering that such cases never occur. Both suppositions are absurd. When it is remembered that the point is already conceded, that the laws of the United States requiring the transmission of these papers by the mail carriers, and their delivery by the Postmasters are valid laws, and supreme in their authority, it follows from the first principles of ethics that no power on earth can rightfully obstruct their operation.

All laws, by whatever authorities enacted, forbidding what they command to be done, are necessarily void and of no effect. This is the way then in which the mail carriers and Postmasters "are to escape the penalties of state laws," and all other laws which forbid their carrying and delivering the papers in question. "Upon a careful examination of the law," the Postmaster General is satisfied "that he has no legal authority, to exclude newspapers from the mail, nor prohibit their carriage or delivery on account of their character or tendency real or supposed." If any answer should be required to the constant and unproved imputations which Mr. Kendall is pleased to employ respecting the abolitionists and their

into states where their circulation is prohibited by law, and much more may Postmasters residing in those states refuse to distribute them. Whether the arguments here suggested are sound or not, of one thing there can be no doubt :—If it shall ever be settled by the authority of Congress, that the Post-office establishment may be legally, and must be actually employed as an irresponsible agent, to enable misguided fanatics, or reckless incendiaries, to stir up with impunity insurrection and servile war in the southern states, those states will of necessity consider the general government as an accomplice in the crime—they will look upon it as identified in a cruel and unconstitutional attack on their unquestionable rights and dearest interests, and they must necessarily treat it as a common enemy in their means of defence. Ought the Postmaster or the Department, by thrusting these papers upon the southern states now, in defiance of their laws, to hasten a state of things so deplorable ?*

writings, it will be found by a recurrence to the preceding remarks continued in note on (p. 128). We will pass over this clause by reminding him, that

“Hyperboles so daring and so bold,”

Lawless are, yet by honesty controlled.

* No part of this clause, it is presumed, was meant for argument. The first part, in effect, advises Postmasters to refuse to forward abolition publications “to states where their circulation is prohibited by law;” and the Postmasters residing in those states to refuse to deliver them to the persons entitled to them, in cases where they have been sent. So, his “want of legal power” has not saved us, after all, from this tyrannical measure; nay, the press is already subjected to the authority of TEN THOUSAND CENSORS. What remains was doubtless intended to apprise the coming Congress that it is to be forced into a compliance with the demands of the south: and in case it shall have the dignity and independence to refuse, that then the glorious scheme of nullification is to be introduced into the very Capitol, under the sanction and favour of “the powers that be.”

In answer to all that remains it may justly be said, that if Mr. Kendall and Mr. Gouverneur had maintained a stern and uncompromising integrity to the trust committed to them, an inflexible determination to uphold the supremacy of the laws, and not to deviate from the course of conduct which the legislature had prescribed, and which they had bound themselves to pursue, under the solemnity of an oath, this conduct would have been infinitely more wise, safe, and expedient than that which they have adopted.

This is perhaps the most extraordinary public document that

I do not desire to be understood as affirming that the suggestion here thrown out, ought, without the action of higher authority, to be considered as the settled construction of the law, or regarded by Postmasters as the rule of their future action. It is only intended to say, that in a sudden emergency, involving principles so grave and consequences so serious, the safest course for Postmasters, and the best for the country, is that which you have adopted.

It prevents the certain seizure of all the mails in the aggrieved states, with a view to the interception and destruction of the obnoxious papers—the interruption of commercial and friendly correspondence—the loss of confidence in the safety of the mail conveyances—and the probable overthrow of the authority of the United States, as far as regards the Post-office establishment, throughout half the territory of the Union.

It prevents a speedy interruption of commerce and trade between the cities of the north and the south; for there are abundant evidences, that the vessels or steamboats which should be known to come freighted with these papers, whether in the mail or out, would not long be suffered to float in safety in the southern ports.

It allays, in some degree, the excited feelings of the white man against the black; which changes the dominion over the slave from one of mildness to one of severity, and puts the free negro in imminent peril of his life.

You avoid being made yourself the agent and accomplice of blind fanaticism or wicked design, in a course of proceedings, which, if successful, could not fail to repeat, on our shores, the

has ever appeared in this country, and, taken with the preceding, has been productive of greater mischief than any other single cause since the commencement of our national existence. The sentiments which these letters contain have already extended their fatal influence into every department of our moral system. The means by which this effect is produced we have before considered. When we consider the utter fallacy of almost every position which these letters assume, that the writer has adopted the popular clamour, and the subtlety which is displayed throughout, and when we also consider that the great body of the people make no pretensions to knowledge of these subjects, we can hardly come to any other conclusion than that Mr. Kendall intended to deceive them and lead them astray.

horrors of St. Domingo, and desolate with exterminating war half the territory of our happy country.

You prevent your government from being made the unwilling agent and abetter of crimes against the states which strike at their very existence, and give time for the proper authorities to discuss the principles involved, and digest a safe rule for the future guidance of the Department.

While persisting in a course which philanthropy recommends and patriotism approves, I doubt not that you and the other Post-masters who have assumed the responsibility of stopping these inflammatory papers in their passage to the south, will perceive the necessity of performing your duty in transmitting and delivering ordinary newspapers, magazines, and pamphlets, with perfect punctuality. Occasion must not be given to charge the Post-masters with carrying their precautions beyond the necessities of the case, or capriciously applying them to other cases in which there is no necessity; and it would be the duty as well as the inclination of the Department, to punish such assumptions with unwonted severity. This suggestion I do not make because I have any apprehension that it is needed for your restraint; but because I wish this paper to bear upon its face a complete explanation of the views which I take of my own duty in the existing emergency.

Very respectfully, your obedient servant,

AMOS KENDALL.

No. III.

PUBLIC MEETING.

At a large and respectable meeting* of the citizens of Utica, convened pursuant to public notice, at the Court-room in the Academy, on the 17th day of October, 1835, for the purpose of taking into consideration the resolution of the Common Council, passed last evening, granting permission for the holding of a State Abolition Convention in this place, on motion of Hon. Sam. Beardsley, Rudolph Snyder, Esq. was appointed President, and

* Many respectable citizens, it cannot be denied, were at the meeting; but the most *patriotic*, loud, and clamorous expressions of indignation at the vote of the Common Council emanated from that class of "peaceable and reputable citizens," who acted so conspicuous a part in the doings of the Wednesday following.

John C. Devereux, Ephraim Hart, Ezra S. Barnum, Kellogg Hurlburt, Adam Bowman, Nicholas Smith, and John B. Pease, Vice Presidents : and on motion of D. Wager, Esq. Isaiah Tiffany and William C. Noyes were chosen Secretaries.

On the motion of Hon. S. Beardsley, a committee of five was appointed by the chair, to prepare and report Resolutions expressive of the sense of the meeting, consisting of the following:—Messrs. Samuel Beardsley, Joshua M. Church, Rutger B. Miller, Chauncey Rowe, and B. B. Lansing.

After the committee had retired, the Hon. Joseph Kirkland, Mayor of the city, entered the meeting, and being invited to a seat with the President, made a short address, in which, from feelings of delicacy towards another body over which he presided, he declined the invitation ; but at the same time expressed his decided opposition to the resolution of the Common Council, which occasioned the present meeting *

The committee, after a short recess, by Hon. S. Beardsley, its chairman, reported the following preamble and resolutions for the consideration of the meeting ; which having been read, and the meeting having been addressed by several gentlemen, were adopted.

The citizens of Utica, here convened, deem it unnecessary to repeat the expressions of their decided hostility to the movements of the abolitionists, and especially to the assembling of their Convention in this city on the 21st instant, or at any other time. Their views upon this subject have, on former occasions, been expressed and reiterated : they are unchanged, and probably unchangeable. The public condemnation of these movements is here, as it is elsewhere, nearly unanimous ; and the present meeting has been called forth only by the new and unexpected atti-

* What "*feelings of delicacy*" will the public believe this man possessed toward the body over which he presided, when he could appear at this meeting, deliver "a short address," and countenance, in the most decided and emphatic manner, proceedings reproaching the conduct and character of that body. His "*feelings of delicacy*" were doubtless of a peculiar character. When this resolution, so much complained of, was passed, Gen. Kirkland of course presided, and officially assured the Council, that they had a complete legal warrant for that act ; and now he is attempting to nullify a legal and valid act of that body—to destroy his own authority. This was a *delicate* situation to be sure.

tude which has been assumed by the Common Council. This meeting has learned, with no less surprise than regret and mortification, that the Common Council of this city, last night, by a vote of seven to four, assumed to grant permission for the holding of a State Abolition Convention on the 21st instant, at the place where we are now assembled. It is this vote which has brought the present meeting together; a vote, for which we see nothing like a justification, nor indeed an apology, and which, looking to the previous acts and declarations of several of the Aldermen who sustained it, is wholly inconsistent with those acts and declarations.*

Therefore, Resolved, That the said vote of a majority of said Common Council is regarded by this meeting, not only as a flagrant usurpation of power, as that body has no rightful authority to grant such permission, but as a direct indignity to the good citizens of this place.†

* The Aldermen who voted for this resolution are far from deserving this insinuation of inconsistency. The respect and esteem which they receive from the community where they are known, is well worth the emulation of the best among their traducers.

† Seven Aldermen voted for the resolution and four against it. One member of the Council, who is distinguished for his firmness and integrity, and a fearless discharge of his duties, who was absent at the time the resolution was passed, afterward expressed his regret that he was deprived of the satisfaction of adding his own vote to those by which it was carried. It is now pretty well understood, that this violent and unwarrantable opposition to the authority of the Common Council, and the ungenerous aspersions cast upon the members of that body, were employed by a few individuals as a political movement, to obtain, by stratagem, what they had not been able to obtain by fair and open conduct—a political ascendancy in the city—by producing among the citizens disaffection and distrust toward those with whom they had intrusted the administration of its affairs, and it is exceedingly to be regretted that many well-meaning persons were seduced into the measure. The scheme, however, totally failed, and Haman has been hanged upon the same gallows that he had erected for Mordecai. The originators of this crusade against all that is valuable in society are looked upon by the respectable and virtuous portion of the community where they reside, (and Utica, it is believed, is not behind other cities in respect to the virtue and respectability of its inhabitants) with a calm and deliberate expression of scorn and contempt.

Resolved, That we highly approve of the course which the Mayor of this city has taken upon this exciting subject ; a course, in the judgment of this meeting, not less the dictate of a proper self-respect, than of sound patriotism and public virtue.

Resolved, That we proffer to the minority of the Common Council who opposed the adoption of the resolution to which we have before referred, an expression of the thanks and the cordial approbation of this meeting.

Resolved, That this meeting, unmoved by passion or prejudice, but influenced only by a just regard for itself, and for what is due to the quiet and repose of the whole community, will not submit to the indignity of an abolition assemblage being held in a public building of the city, reared as this was, by the contributions of its citizens, and designed to be used for salutary public objects, and not as a receptacle for deluded fanatics or reckless incendiaries.*

Resolved, That it is the incumbent duty of every citizen to make use of all lawful and proper measures to arrest the disgrace which would settle upon this city by the public assemblage of the Convention appointed to be held on the 21st instant ; and that when this meeting adjourns, it will adjourn to meet on that day at nine o'clock, A. M. at this place.†

On the motion of D. Wager, Esq.

Resolved, That the proceedings of this meeting be signed by its officers, and published in the *Oneida Whig*, *Utica Observer*, *Baptist Register*, and *Evangelical Magazine*.‡

The meeting was then adjourned by the President to the 21st instant, at nine o'clock, A. M. at the same place.

RUDOLPH SNYDER, *President*.

John C. Devereux, Ephraim Hart, Ezra	} <i>Vice Presidents.</i>
S. Barnum, Kellogg Hurlburt, Adam	
Bowman, Nich. Smith, John B. Pease,	
Isaiah Tiffany, W. C. Noyes, § <i>Secretaries.</i>	

* The violence which is here threatened, it has been seen, was fully executed.

† We have already seen what "*lawful and proper measures*" were employed.

‡ The *Evangelical Magazine* and *Baptist Register* would willingly forego the honour : they condemn these proceedings.

§ This W. C. Noyes is the City Attorney, and was elevated to that station by those very men whose characters he has thus

No. IV.

GREAT CONSERVATIVE MEETING,

Of "the citizens of Utica, not abolitionists, but nevertheless in favour of maintaining the supremacy of the laws at all times, and under all circumstances, and who are opposed to any abridgment of the right of free and temperate discussion, guarantied by the constitution," held at the court-room of the academy, *Tuesday evening*, Oct. 20, 1835, pursuant to a solemn and deliberate resolve of a committee of thirty citizens.

The meeting was organized by appointing *Bradford Seymour*, Chairman, *H. Nash*, *E. M. Gilbert*, and *Dr. J. P. Batchelder*, Assistant Chairmen; *John Bradish*, Esq. *James Sayre*, and *James M'Gregor*, Secretaries.

On motion of Mr. H. Bushnell, the following persons were appointed a committee to draft resolutions, and present to the meeting; *Dolphus Bennet*, *Horace M. Hawes*, Esq., *T. B. Dixon*, *Dr. Rathbun*, and *Andrew Hanna*.

The committee retired, and after a short recess (during which the agitators of tumult, who had come to the meeting, produced some disorder and confusion) returned, and reported by *H. M. Hawes*, Esq. their chairman, the following preamble and resolutions.

Preamble;—Whereas, *freedom of speech and of the press, and of the right of the people peaceably to assemble*, are guarantied by the constitution, and cannot in any wise be abridged without striking a death blow to our liberties, therefore,

Resolved, that we will maintain the supremacy of the laws by all legal and proper means; resisting every attempt to invade said right, and will on all occasions, and by all just means, protect every member of the American republic, in the free, temperate, and undisturbed use of the same, (hissing and clamour, by the agitators, "hustle him out.")

Resolved, that *for the protection of the constitutional rights of our*

wantonly traduced. It is by the favour and indulgence of that body which he is here villifying, that he has a voice and participation in their counsels. The act of meanness which he is guilty of has few parallels.

southern brethren, and preservation of the union of these states, we pledge "our lives, our fortunes, and our sacred honour."

Resolved, that *we make the like pledge for the protection of the constitutional rights of every American citizen, whether his condition be high or low, whether he inhabit an humble cottage or sit in a chair of state.*

Resolved, that *the laws of the land, which the people themselves have enacted, are supreme in their authority, and ought to be held sacred and inviolable by every American citizen, and that as we deem the prevalence of this sentiment; the only solid basis upon which our free institutions, our property, our lives, or our liberties can rest with safety, we shall look upon any attempt to promulgate a contrary one with an indignant frown.*

The report of the committee was accepted, and a motion made and carried, that the resolutions be considered separately. A motion was then made for the adoption of the first resolution, which was carried by a large majority, (although an attempt was made by the "agitators" to raise a clamour which should prevent the motion being put).

A motion was therefore made for the adoption of the next resolution. It was opposed by A. G. Dauby, in a manner that plainly indicated what he intended should follow, and as soon as he had become seated, a large number of boys and men of loose character, who had come to the meeting for the purpose, and who only waited for the signal, set up a stamping and yelling, which entirely interrupted the proceedings. Several worthy mechanics (the mechanics had been principally instrumental in calling the meeting, and had been most active in conservative measures), arose and appealed to the pride of their fellows for the preservation of order and decorum, but they were immediately clamoured down by the "agitators," and through the efforts of A. G. Dauby, R. B. Miller, W. A. Hinman, and some other leaders of the "agitators," all attempts to restore order were counteracted, and a motion, as a last expedient, was made and carried for adjournment, amid the menaces of the mob. Individuals who had advocated the resolutions, were threatened with violence, but were protected from injury by their friends. As some vile calumniators have represented, that this meeting was designed to favour the schemes of the abolitionists, the officers thereof take occasion to declare upon their

veracity, as men of truth and honour, that the assertions from what source soever it may have emanated, is a base falsehood.*

BRADFORD SEYMOUR, Chairman.

HENRY NASH,
J. P. BATCHELDER,
Assistant Chairmen.

JOHN BRADISH,
JAMES SAYRE,
JAMES MCGREGOR, } Secretaries.

No. V.

ABOLITION CONVENTION—MEETING OF THE CITIZENS—ADJOURNMENT OF THE CONVENTION, SINE DIE.

At an adjourned meeting of the citizens of Utica, held on the 21st October, 1835, at 9 o'clock, A. M., pursuant to a resolution of the meeting held on the 17th inst., RUDOLPH SNYDER, Esq. was appointed President, and JOHN C. DEVEREUX, EPHRAIM HART, EZRA S. BARNUM, KELLOGG HURLBURT, ADAM BOWMAN, NICHOLAS SMITH, and JOHN B. PEARE, Vice Presidents; and on motion of D. WAGER, Esq.; ISAIAH TIFFANY and WILLIAM C. NOYER, were chosen Secretaries.

On motion of J. Watson Williams, Esq.,

Resolved, That a committee of five be appointed by the Chair to report resolutions expressive of the sense of the meeting, whereupon the Chair appointed Messrs. J. Watson Williams, Chester Hayden, George J. Hopper, Rutger B. Miller, and Harvey Barnard such committee.—

That committee, after a short recess, by its chairman, J. Watson Williams, reported the following preamble and resolutions, which, on motion, were unanimously adopted:—

The citizens of Utica having, on the evening of the 17th instant, expressed their decided disapprobation of the vote of the Common Council of the city granting the use of the Court-rooms to the

* The pretence that this meeting was designed to favour the abolitionists, it is believed, came only from a few individuals, who have no just claims to characters, for truth or honesty. This was probably the largest meeting ever assembled in Utica, on any occasion. Of its character and designs the public will judge from the report of its proceedings. The sentiments contained in the resolutions reported, cannot fail to meet the cordial approbation of every lover of his country.

State Convention of Abolitionists called to assemble here this day; and having determined, by adjourning to this time, to prevent an assemblage of that odious character in a building erected by the voluntary contribution of the said citizens for better and different purposes; and being now assembled, pursuant to that adjournment, deem it a proper occasion to reaffirm the sentiments heretofore frequently expressed by them in relation to the deluded and fanatical efforts of the abolitionists.

We are conscious that the eyes, not only of the people of this state, but of the whole union, are fixed upon our proceedings. We are expected by our fellow-citizens at large to prevent, if possible, by proper and lawful means, the disgrace which will sully our name, if men, whose measures tend most directly to the disturbance of the public peace, and no less directly to the disruption of the now happy union of these states, are permitted to make our city the scene of their mistimed and noxious deliberations. Our determination and our presence prevent their convening *here*; and we now solemnly and deliberately remonstrate against their attempting to assemble elsewhere within this city. To add force to that remonstrance, we tell them, that disposed as we are, as good and peaceful citizens, to discountenance every attempt to disturb the public peace, and determined as we are to take no part in measures of personal violence and insult, we do not hold ourselves nor our reputations responsible for the consequences which may follow their misguided determination to assemble and deliberate upon the questions which it is their avowed design to agitate in defiance of the repeated expressions of the public opinion here and elsewhere. Upon them, and them alone, forewarned as they have been of the excited state of feeling here, must rest the blame and the reproach of whatever unlawful and disgraceful events may happen. They are trifling with the deep-rooted opinions of their fellow-citizens, and we must hold them answerable for whatever excitement their rashness may produce, and for all its unhappy consequences. To their own folly and madness must be attributed whatever evil may flow from their truly unchristian and unpatriotic disregard of the duty incumbent upon them as citizens and as men.

Entertaining, as we do most earnestly, the opinion that an adherence to their unwise determination to hold a Convention in defiance of the repeated strong expressions of a vast majority of our fellow-citizens, may lead to unpleasant and perhaps dangerous acts, and sincerely desiring to avoid whatever may affect our good repute,

Therefore, Resolved, That a committee of twenty-five of our fellow-citizens be appointed by the chairman of this meeting, whose duty it shall be to ascertain the proposed time and place of the meeting of the said Convention of abolitionists, and express to the delegates of the said Convention who may be present in this city the opinions entertained here and throughout the state and union, of the impropriety and rashness of attempting to assemble for the purposes expressed in the call for said Convention; and that the said committee be instructed to urge upon the said delegates the evil consequences which are likely to ensue if they persist in their unwise attempt; to represent to them the excited state of public feeling here, and the utter abhorrence in which the doctrines and measures of the abolitionists are held; to warn them to abandon their pernicious movements, and to regard, as becomes all citizens studious of the public quiet and welfare, the frequent remonstrances of the great body of the people of this state, and of the union, against their obnoxious designs.*

Resolved, That they also be instructed to inform the said delegates of the number and character of the persons composing this meeting; that it is no riotous assemblage convened for the purpose of encouraging or abetting tumult and disorder; but a meeting of good and reputable citizens of Utica, of all classes and parties, assembled to prevent, if they can do so by their advice and remonstrances, a resort to violence and insult, by urging, before it is too late, upon the delegates to said Convention, to forsake their determination of assembling among us at a time when the public feeling is so violently excited against their rash measures.†

* "For I have sworn upon the altar of God, eternal hostility against every form of tyranny over the mind of man."—JEFFERSON.

† What a ridiculous appearance this "committee" must have made, *hunting* about the streets after the delegates of this Convention, in order to tell them "of the number and character of the persons composing this meeting," and how well it comported with the dignity of a judge and a representative! They needed no formal resolution in order to remind the Convention of the *number and character of their constituents*; for of both their *number and character* the said delegates were well informed, upon the first entrance of this "committee of twenty-five" into the church, by the horrid yells and obscene behaviour of the horde of drunken and wretched beings with whom they were surrounded, and who had followed their leaders, alias "committee," in order to cheer and stimulate them by their blasphemies, in their direful purpose; and produce a stronger "pressure of public opinion." A formal resolution that this

The President then appointed as the committee mentioned in the first resolution, Messrs. Chester Hayden, Rutger B. Miller, Samuel Beardale, Ezra Dean, William Tracy, J. Watson Williams, E. A. Wetmore, A. G. Dauby, O. B. Matteson, G. W. Hubbard, J. D. Leland, Benj. Ballou, Augustus Hickcox, A. B. Williams, Julius A. Spencer, Harvey Barnard, T. M. Francis, B. F. Cooper, Isaiah Tiffany, David Wager, T. S. Gold, Alvin Blakesley, Burton Hawley, Jesse Newell, J. H. Dwight.

On motion of E. A. Wetmore, Esq.,

Resolved, That the Hon. Joseph Kirkland, Mayor of the city, be requested to act as chairman of the said committee.

The meeting then took a short recess for the purpose of enabling the said committee to discharge the duties incumbent upon them, and in a short time was again organized for the purpose of receiving their report, which was made by Hon. C. Hayden, their chairman, as follows :—

REPORT.

Mr. President—The committee appointed pursuant to the resolution of this meeting to wait on the delegates of the Convention of the abolitionists, appointed to be held in this city on this day, and communicate to them the sentiments of this meeting, respectfully report,

That his Honor the Mayor, named as chairman of your committee, being made acquainted with his appointment, declined from considerations connected with his official character to act as such ; at

was "no riotous assemblage"—that these were "good and reputable citizens of Utica," would be quite as satisfactory to the "said delegates," as the assurance of the "committee," that they had come there with just intentions, when one of their number, while attempting to rob the secretary of the papers belonging to the Convention, threatened to knock him down, if he did not give them up. 'This whole farce is too ridiculous to be treated with seriousness. Nobody can be deceived by it, who desires to know the truth. The candid reader will examine the *conduct and doings* of these men, and will no more rely upon their *declarations* of innocence, than he would upon the declarations of an accused person, made for the purpose of exculpating himself from guilt. Let him act upon this principle, which has long been judicially settled to be the only true one in such cases, and he will have as little difficulty in determining what degree of guilt is to be attached to the prime movers of this "committee," as he will, in ascertaining the "*number and character*" of their constituents.

the same time expressing his approbation of the spirit and temper of the resolutions of this meeting, proposed to be communicated.*

That thereupon your committee proceeded to the Bleecker-street Presbyterian Church, where the members of the Convention were already assembled, and finding the doors open, entered and proceeded to read the resolutions and to make the communication with which they were charged—whereupon, after some little delay, the Convention yielded to the pressure of public opinion and adjourned without day.†

That when your committee entered the church, the secretary of the Convention, or some person for him, was reading some paper, upon which, however, no question was afterward taken.

Which report, on motion, was unanimously adopted, and was received with loud and repeated acclamations.

On motion of B. F. Cooper, Esq.,

Resolved, That when this meeting adjourns, they will carry out the triumph of public opinion this day achieved, by refraining entirely from all violence, and discouraging it to the best of their abilities on the part of all others of our fellow-citizens.

On motion of D. Wager, Esq.,

Resolved, That the officers of this meeting be authorized to call a meeting of the citizens of Utica, if they shall deem it necessary, to

* The Mayor had been repeatedly called upon by the friends of the *Constitution* to take measures to prevent violence toward the Convention, and to preserve the peace of the city, which he was required to do by the duties of his office, and by the solemn oath he had taken; but he did nothing, nor were the police officers found at their posts at the time of the tumult. From the beginning of those inflammatory and revolutionary proceedings, which produced these disorders, the Mayor (Gen. Kirkland) was found among the "agitators;" and even on the day that was to consummate the city's disgrace, he was still giving them his countenance. And, as appears from the above report, he was foolish enough to suppose that his declining to act *openly* in violation of the laws, and of the duties of his office, would save him from censure, while his secret efforts were employed to subserve the infamous designs of this "committee." The insulted community where he resides, demands of this man an "apology" for his conduct.

† If the "committee" mean, by yielding "to the pressure of public opinion," that the Convention yielded to the "pressure" of a savage and furious mob, and of the violence with which they were threatened, and with which some were actually assailed, then they are correct, otherwise their statement as to the means employed to break up the Convention is at least erroneous.

prevent an assemblage of the abolition Convention, or any other Convention of a similar character within the city.*

On motion of J. M. Hatch, Esq.,

Resolved, That the thanks of this meeting be returned to the committee of twenty-five citizens, for the able, effectual, and proper manner in which they have performed the duties assigned them.

On motion, resolved, That the proceedings of this meeting be published in the Utica Observer, Oneida Whig, Baptist Register, and Evangelical Magazine.

The meeting was then adjourned.

RUDOLPH SNYDER, President.

JOHN C. DEVEREUX, EPHRAIM HART, EZRA S. BARNUM, KELLOGG HURLBURT, ADAM BOWMAN, NICHOLAS SMITH, JOHN B. PEASE,	}	Vice Presidents.
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ISAIAH TIFFANY, W. C. NOYES,	}	Secretaries.
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No. VI.

TOPE OF THE SOUTH.

[From the Louisiana Journal.]

"The following has been handed to us by the Committee of Vigilance of the parish of East Feliciana for publication.

"Fifty Thousand Dollars Reward.

"The above reward will be given on the delivery to the Committee of Vigilance for the parish of East Feliciana, La. of the notorious Abolitionist, Arthur Tappan, of New-York.

"If Papers opposed to Abolition throughout the United States are requested to give publicity to the above."

The above notice has gained general publicity through the medium of the public journals, both at the north and the south. A large reward is here offered for the abduction of one of our most esteemed fellow-citizens. Should he fall into the hands of southern "agitators," he would, beyond doubt, be put to death, for no other crime than that which gave birth to American freedom.

* A more daring spirit of opposition to the undisputed rights of individuals, than is manifested in this resolution, is rarely witnessed even in the worst state of society.

Let the friends of their country be awake. There are ruffians enow who would execute the infamous deed, for a less reward than is here offered.

"The cowards who would suffer a fellow-citizen to be torn from their society in order to be thus offered a sacrifice to lawless tyranny, would merit that everlasting infamy which awaits those who are seeking the perpetration of that act."*

The Georgia Journal gives an official account of a meeting of the citizens of Morgan, Walton, and Clark counties, on the subject of the proceedings of the abolitionists. Among the resolutions adopted one holds the following language:—

"We detest your incendiaries; and, believe us, we will wreak the direst vengeance on their heads if ever they come within our jurisdiction; and in the most solemn terms we declare to the world, in whosoever's hands we may find any of these incendiary tracts, with an intent, in any manner, to scatter those fire-brands among us, WITHOUT JUDGE OR JURY THE GALLOWS WILL BE HIS OR THEIR DOOM. Then, in the most solemn language, we warn ye, fanatics of every order, come not to the south;—danger is abroad in the land!"

MESSAGE OF THE GOVERNOR OF N. CAROLINA.

Governor Swain, of North Carolina, in his message, dated Nov. 16, 1835, holds the following language, in relation to the anti-slavery publications:—

"It is apparent to all who have any accurate knowledge of our condition, that the public safety imperiously requires the suppression of these wicked and mischievous publications, injurious alike to the best interests of the master and the slave. This, I apprehend, cannot be effected without the co-operation of the legislatures of the states from which these missiles proceed. Such an interference with our domestic concerns, on the part of the citizens of a foreign state, either encouraged or permitted by the government, would at once justify a resort to the modes ordinarily adopted for the adjustment of national differences. If we should exercise greater forbearance in the present instance, it is not because the wrongs we suffer are less injurious or mortifying when inflicted by the hands of brethren. The

* See Jefferson's draft of an Address to the King, 1774.

“ obvious design and tendency of these proceedings is to subvert the constitution and laws of the country ; and *we have therefore an indubitable right to ask of our sister states the adoption of such measures as shall become necessary and requisite to suppress them totally and promptly.*” And the governor concludes by declaring, that, upon this point, there will be but one opinion among the slave-holding states ; that all will join in demanding of us a sacrifice which will remove our only remaining security against the most insufferable tyranny. Let this demand be complied with, and there will then be much truth in the declaration of our enemies, that our Declaration of Independence is nothing but a “ *great rhetorical flourish.*” But what course will be most wise and prudent in the present emergency, while we are threatened with nullification on the one hand and the most odious despotism on the other, is a solemn and momentous question. The utmost prudence, a spirit of forbearance and conciliation will be required. We will voluntarily sacrifice our property and our lives to promote the welfare of our southern brethren ; but if they make the demand which Governor Swain* says they will make with perfect unanimity, the duties which we owe to our country, to posterity, and to the cause of freedom throughout the world, *forbid compliance.* We cannot, *will not submit.*

But in order that we may have a full knowledge of our rights and duties in the present emergency, the following extracts are given from the National and State Constitutions :—

AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES.

Art. 1. “ Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof ; or *abridging the freedom of speech or of the press ; or the right of the people peaceably to assemble and petition the government for a redress of grievances.*”

Art. 4. “ The right of the people to be secure in their persons, papers, houses, and effects, against unreasonable searches and seizures, shall not be violated ; and no warrants shall issue but upon probable cause, *supported by oath or affirmation,* and par-

* See Message of George M'Duffie, Governor of South Carolina, p. 150.

"ticularly describing the place to be searched, and the persons or things to be seized."

Art. 5. "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger: nor shall any person be subject, for the same offence, to be twice put in jeopardy of life or limb; nor shall he be compelled, in any criminal case, to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public uses, without just compensation."

Art. 6. "In all criminal prosecutions the accused shall enjoy the right to a speedy public trial BY AN IMPARTIAL JURY of the state, and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favour; and to have the assistance of counsel in defence."

"This constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties, or which shall be made under the authority of the United States, shall be THE SUPREME LAW OF THE LAND; and the judges, in every state, shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding." Const. U. S. Art. 6. § 2.

From the Constitution of New-York.

"Every citizen may freely speak, write, and publish his sentiments on ALL SUBJECTS; being responsible for the abuse of that right; AND NO LAW SHALL BE PASSED TO RESTRAIN OR ABRIDGE THE LIBERTY OF SPEECH OR OF THE PRESS." Art. 7. § 8.

From the Constitution of Maine.

"Every citizen may freely speak, write, and publish his sentiments on any subject, being responsible for the abuse of this liberty. No laws shall be passed regulating or restraining the freedom of the press." Art. 1. § 4.

From the Constitution of Massachusetts.

"Liberty of the press is essential to security of freedom in a state: it ought not therefore to be restrained in this commonwealth." Part 1. § 16.

From the Constitution of New-Hampshire.

"The liberty of the press is essential to the security of freedom in a state. It ought therefore to be inviolably preserved." Part I. § 22.

From the Constitution of Vermont.

"That the people have a right to a freedom of speech, and of writing and publishing their sentiments concerning the transactions of government, and therefore the freedom of the press ought not to be restrained." Chap. 1. art. 13.

From the Constitution of Connecticut.

§ 5. "Every citizen may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that liberty."

§ 6. "No law shall ever be passed to curtail the liberty of speech, or of the press." Art. 1.

From the Constitution of Pennsylvania.

"That the printing-presses shall be free to every person who undertakes to examine the proceedings of the legislature, or any branch of the government; and no law shall ever be made to restrain the right thereof. The free communication of thoughts and opinions is one of the invaluable rights of man; and every citizen may freely speak, write, and print on any subject, being responsible for the abuse of that liberty." Art. 9. § 7.

The Constitutions of Ohio, Kentucky, Tennessee, Indiana, Illinois, Missouri, and Louisiana, contain declarations and provisions, in nearly the same words with the preceding; and the freedom of speech and of the press in all of the remaining states, except New-Jersey and Rhode-Island, is secured to the citizens by express provisions in their respective Constitutions.

SENTIMENTS OF GEORGE M'DUFFIE.

The following are extracts from the message of George M'Duffie, to the legislature of South Carolina at their session commencing November, 1835. After entering into a consideration of the measures and sentiments of the abolitionists, he says:—"It is my deliberate opinion, that the laws of every community, should punish this species of interference by DEATH WITHOUT BENEFIT OF CLERGY.* No humane institution, in my

* He makes no difference between colonizationists and abolitionists, but denounces the same sentence against both, as will be seen.

"opinion, is more manifestly consistent with the will of God,
 "than domestic slavery. If we look into the elements of which
 "all political communities are composed, it will be found that *ser-*
 "*vitute in some form, is one of the essential constituents, ... In*
 "the very nature of things, there must be classes of persons to
 "discharge all the different offices of society, from the highest to
 "the lowest, ... Where these offices are performed by members
 "of the political community, a dangerous element is obviously in-
 "troduced into the body politic. Hence, the alarming tendency
 "to violate the rights of property by agrarian legislation, which
 "is beginning to be manifest in the older states, where *universal*
 "*suffrage prevails without domestic slavery*; a tendency that will
 "increase in the progress of society, with the increasing inequality
 "of wealth. *No government is worthy the name that does not pro-*
 "*tect the right of property, and no enlightened people will long submit*
 "*to such a mockery, ... In a word, the institution of domestic*
 "slavery, supersedes the necessity of an order of nobility, and all
 "the other appendages of a hereditary system of government
 "Domestic slavery, therefore, instead of being an evil, is the corner
 "stone of our republican edifice. *No patriot, who justly estimates*
 "*our privileges, will tolerate the idea of emancipation at any period*
 "*however remote, or on any condition of pecuniary advantage, how-*
 "*ever favourable. I would as soon think of opening a negotiation*
 "*for selling the liberties of the state at once, as for making any*
 "*stipulation for the ultimate emancipation of our slaves*
 "If the legislature should concur in these views of this important
 "element of our political and social system, our confederates
 "should be distinctly informed, in any communications we may
 "have occasion to make to them, that in claiming to be exempt from
 "all foreign interference, *we can recognise no distinction between*
 "*ultimate and immediate emancipation It behoves us there-*
 "fore, to demand of all the non-slaveholding states. 1. A formal,
 "and solemn disclaimer by its legislature, of the existence of any
 "rightful power, either in such state, or the United States in con-
 "gress assembled, to interfere in any manner with the institution
 "of domestic slavery in South Carolina. 2. *The immediate pas-*
 "*sage of penal laws* by such legislatures, denouncing against the
 "incendiaries of whom we complain, such punishments as will
 "speedily and for ever suppress their machinations against our

"peace and safety The liberal, enlightened, and magnanimous conduct of the people in many portions of the non-slaveholding states, forbids us to anticipate a refusal on the part of those states, to fulfil those high obligations of national faith and duty."

These are the real sentiments of George M'Duffie, of South Carolina, as he declares with solemn asseverations of sincerity. They are briefly stated in his own language, omitting for the want of room, his multifarious illustrations which can neither advantage their author, nor allay the indignation which they cannot fail to arouse in every virtuous breast. If it were not decreed by heaven, that nothing before the last trump should disturb the quiet of the dead, such startling doctrines, pronounced by the chief magistrate of one of the states of this republic, would be sufficient to call forth the shade of JEFFERSON from its long repose. That consistent advocate of freedom had prepared a proposition to be presented to the legislature of Virginia, in 1785, for the emancipation of all slaves born after the passage of the act. Upon learning, while in France, that this proposition had not been taken up by the legislature, and that no provision had been made for the general emancipation of the slaves, he expresses his feelings in the following vehement language:—

"What a stupendous, what an incomprehensible machine is a man! Who can endure toil, famine, stripes, and imprisonment, and death itself, in vindication of his own liberty, and the next moment be deaf to all those motives whose powers supported him through his trial, and inflict on his fellow-men a bondage, one hour of which is fraught with more misery than ages of that which he rose in rebellion to oppose! But we must await with patience the workings of an overruling Providence, and hope that he is preparing the deliverance of these our suffering brethren. When the measure of their tears shall be full—when their groans shall have involved heaven itself in darkness, doubtless a God of justice will awaken to their distress, and by diffusing light and liberality among their oppressors, or, at length, by his exterminating thunder, manifest his attention to the things of this world, and that they are not left to the guidance of a blind fatality."

[The following paragraph was written by Mr. Jefferson in 1821, in allusion to the above mentioned proposition.

"It was found," says he, "that the public mind would not yet bear the proposition, nor will it bear it even at this day. Yet *the day is not distant when it must bear and adopt it*, or worse will follow; NOTHING IS MORE CERTAINLY WRITTEN IN THE BOOK OF FATE, THAN THAT THESE PEOPLE ARE TO BE FREE. Nor is it less certain that the two races, equally free, cannot live in the same government. Nature, habit, opinion, have drawn indelible lines of distinction between them. It is still in our power to direct the process of emancipation and deportation peaceably, and in such slow degree, as the evil will wear off insensibly, and their place be, *pari passu*, filled up with free white labourers. If, on the contrary, it is left to force itself on, human nature must shudder at the prospect held up. We should in vain look for an example in the Spanish deportation, or deletion of the Moors.—This precedent would fall far short of our case."

It was long ago predicted by European writers of the first distinction, that the southern states are "*destined to become the scene of NEGRO DOMINION, and a THORN IN THE SIDE OF THE GIANT REPUBLIC.*" And yet we are told, that the free citizens of the north, who shall attempt to avert so appalling a calamity by the exercise of a timely commiseration "*for these our suffering brethren,*" and by "*diffusing light and liberality among their oppressors,*" and entreating them, by their regard for the laws of the God that made them, and their love for the country that gave them birth, to provide for the ultimate, but certain abolition of this unjust system, *ought to be punished by death.*

BLOCKING UP THE UNITED STATES MAIL.

The Governor of Georgia, in his message to the legislature of that state, at the session commencing in November, 1835, recommends such an alteration of the existing laws as will "*more effectually prevent the circulation, through the post-office or otherwise, of any publication tending to interrupt their social relations, or calling in question their constitutional right of property.*" The design is to exclude all anti-slavery publications from the state, whether they advocate immediate or gradual emancipation, in defiance of the laws of the United States.

No. VII.

THE TRUE PRINCIPLES AND SENTIMENTS OF THE ABOLITIONISTS.

To the Public.

In behalf of the American Anti-Slavery Society, we solicit the candid attention of the public to the following declaration of our principles and objects. Were the charges which are brought against us made only by individuals who are interested in the continuance of slavery, and such as are influenced solely by unworthy motives, this address would be unnecessary: but there are those who merit and possess our esteem, who would not voluntarily do us injustice, and who have been led by gross misrepresentations to believe that we are pursuing measures at variance not only with the constitutional rights of the south, but with the precepts of humanity and religion. To such we offer the following explanations and assurances.

1st. We hold that Congress has no more right to abolish slavery in the southern states, than in the French West India islands. Of course, we desire no national legislation on the subject.

2d. We hold that slavery can only be lawfully abolished by the legislatures of the several states in which it prevails, and that the exercise of any other than moral influence to induce such abolition is unconstitutional.

3d. We believe that Congress has the same right to abolish slavery in the District of Columbia that the state governments have within their respective jurisdictions, and that it is their duty to efface so foul a blot from the national escutcheon.

4th. We believe that American citizens have the right to express and publish their opinions of the constitution, laws, and institutions of any and every state and nation under heaven; and we mean never to surrender the liberty of speech, of the press, or of conscience, blessings we have inherited from our fathers, and which we intend, as far as we are able, to transmit unimpaired to our children.

5th. We have uniformly deprecated all forcible attempts on the part of the slaves to recover their liberty. And were it in our power to address them, we would exhort them to observe a quiet and peaceful demeanour; and would assure them, that no insurrectionary movement, on their part, would receive from us the slightest aid or countenance.

6th. We would deplore any servile insurrection, both on account of the calamities which would attend it, and on account of the occasion which it might furnish of increased severity and oppression.

7th. We are charged with sending incendiary publications to the south. If by the term *incendiary* is meant publications containing arguments and facts to prove slavery to be a moral and political evil, and that duty and policy require its immediate abolition, the charge is true. But if this term is used to imply publications encouraging insurrection, and designed to excite the slaves to break their fetters, the charge is utterly and unequivocally false. We beg our fellow-citizens to notice, that this charge is made without proof, and by many who confess that they have never read our publications; and that those who make it offer to the public no evidence from our writings in support of it.

8th. We are accused of sending our publications to the slaves; and it is asserted, that their tendency is to excite insurrection. Both the charges are false. These publications are not intended for the slaves; and were they able to read them, they would find in them no encouragement to insurrection.

9th. We are accused of employing agents in the slave states to distribute our publications. We have never had one such agent.—We have sent no *packages* of our papers to any person in those states for distribution, except to five respectable resident citizens at their own request. But we have sent by mail, single papers addressed to public officers, editors of newspapers, clergymen, and others. If, therefore, our object is to excite the slaves to insurrection, the MASTERS are our agents!

10th. We believe slavery to be sinful, to be injurious to this and every other country in which it prevails; we believe immediate emancipation to be the duty of every slave-holder, and that the immediate abolition of slavery by those who have the right to abolish it, would be safe and wise. These opinions we have freely expressed, and we certainly have no intention to refrain from expressing them in future, and urging them upon the consciences, and hearts of our fellow-citizens who hold slaves, or apologize for slavery.

11th. We believe that the education of the poor is required by

duty, and by a regard for the permanency of our republican institutions. There are thousands. and tens of thousands of our fellow-citizens, even in the free states, sunk in abject poverty, and who, on account of their complexion, are virtually *kept* in ignorance, and whose instruction in certain cases is actually prohibited by law! We are anxious to protect the rights, and to promote the virtue and happiness of the coloured portion of our population; and on this account, we have been charged with a design to encourage intermarriages between the whites and the blacks. This charge has been repeatedly, and is now again denied; while we repeat, that the tendency of our sentiments is to put an end to the criminal amalgamation that prevails wherever slavery exists.

12th. We are accused of acts that tend to a dissolution of the union, and even of wishing to dissolve it. We have never "calculated the value of the union," because we believe it to be inestimable; and that the abolition of slavery will remove the chief danger of its dissolution; and one of the many reasons why we cherish, and will endeavour to preserve the constitution, is, that it restrains congress from making any law "abridging the freedom of speech, or of the press."

Such, fellow-citizens, are our principles—are they unworthy of republicans and of Christians? Or are they in truth so atrocious, that in order to prevent their diffusion you are yourselves willing to surrender, at the dictation of others, the invaluable privilege of free discussion, the very birthright of Americans? Will you, in order that the abominations of slavery may be concealed from public view, and that the capital of your republic may continue to be, as it now is, under the sanction of congress, the great slave mart of the American Continent, consent that the general government, in acknowledged defiance of the constitution and laws, shall appoint throughout the length and breadth of your land, ten thousand censors of the press, each of whom shall have the right to inspect every document you may commit to the Post-office, and to suppress every pamphlet and newspaper, whether religious or political, which in his sovereign pleasure he may adjudge to contain an incendiary article? Surely we need not remind you, that if you submit to such an encroachment on your liberties, the days of our republic are numbered, and that although the abolitionists

may be the first, they will not be the last victims offered at the shrine of arbitrary power.

AUTHUR TAPPAN, President.

JOHN RANKIN, Treasurer.

WILLIAM JAY, Sec. For. Cor.

ELIZUR WRIGHT, JR. Sec. Dom. Cor.

ABRAHAM L. COX, M. D., Rec. Sec.

LEWIS TAPPAN,

JOSHUA LEAVITT,

SAMUEL E. CORNISH,

SIMEON S. JOCELYN,

THEODORE S. WRIGHT,

Members of
the
Executive Com.

New-York, September 3, 1835.

No. VIII.

SPEECH OF GERRIT SMITH, ESQ.,

AT THE MEETING OF THE NEW-YORK ANTI-SLAVERY SOCIETY, HELD IN PETERBORO', OCT. 22, 1835.

Mr. Smith rose to move and advocate the adoption of the following Resolution, viz :—

“ Resolved, That the right of free discussion, given to us by God, and asserted and guarded by the laws of our country, is a right so vital to man's freedom, and dignity, and usefulness, that we can never be guilty of its surrender, without consenting to exchange that freedom for slavery, and that dignity and usefulness for debasement and worthlessness.”

Mr. Smith remarked, that he was not a member of the American Anti-Slavery Society, and not yet prepared to become such—that his reasons for not approving of all the plans and proceedings of the society, so far as to unite himself with it, were before the public; and that it would be both unseasonable and egotistical for him now to mention them.

He stood up in the meeting under the courtesy of its resolution, inviting him to take a part in its deliberations and proceedings. Let me say, however, (said Mr. Smith,) that the great principles of your society have ever been my principles ; and that it is meet I should share with you in the odium and peril of holding those principles. At such a time as this, when you are nobly jeoparding, for truth's sake, and humanity's sake, property, and reputation, and life, I feel it to be not only my duty, but my privilege and pleasure, to identify myself with you, as far as I conscientiously can, and to expose my property, and reputation, and life, to the same dangers which threaten yours. Passing events, (said Mr. S.) admonish me of the necessity there is, that the friends of human rights should act in concert : and, with all my objections to your society, it is not only possible, but probable, that I shall soon find myself obliged to become a member of it.

But to come to the resolution before us, (which Mr. S. said he had himself drawn up, and handed to the committee on resolutions)—I love the free and happy form of civil government under which I live : not because it confers new rights on me. My rights all spring from an infinitely nobler source—from the favour and grace of God. Our political and constitutional rights, so called, are but the natural and inherent rights of man, asserted, carried out, and secured by modes of human contrivance. To no human charter am I indebted for my rights. They pertain to my original constitution ; and I read them in that Book of books, which is the great charter of

man's rights. No, the constitutions of my nation and state create none of my rights. They do, at the most, but recognise what it was not theirs to give.

My reason, therefore, for loving a republican form of government, and for preferring it to any other—to monarchical and despotic governments—is, not that it clothes me with rights, which these withhold from me; but, that it makes fewer encroachments than they do, on the rights which God gave me—on the divinely appointed scope of man's agency. I prefer, in a word, the republican system, because it comes up more nearly to God's system. It is not then to the constitutions of my nation and state, that I am indebted for the right of free discussion; though I am thankful for the glorious defence with which those instruments surround that right. No, God himself gave me this right: and a sufficient proof that He did so, is to be found in the fact, that He requires me to exercise it. Take from the men, who compose the church of Christ on earth, the right of free discussion, and you disable them for His service. They are now the lame, and the dumb, and the blind. In vain is it now, that you bid them “hold forth the word of life”—in vain that you bid them “not to suffer sin upon a neighbour, but in any wise to rebuke him”—in vain is it, that you bid them “go into all the world, and preach the Gospel to every creature.” If God made me to be one of his instruments for carrying forward the salvation of the world, then is the right of free discussion among my inherent rights: then may I, must I, speak of sin, any sin, every sin, that comes in my way—any sin,

every sin, which it is my duty to search out and to assail. When, therefore, this right is called in question, then is the invasion, not of something obtained from human convention and human concession, but the invasion of a birthright—of that which is as old as our being, and a part of the original man.'

This right, so sacred, is sought to be trammelled. It is virtually denied. What I have said is introductory to the expression of my dissent from the tenor of the language with which this invasion is generally met. This right is, for the most part, defended on the ground, that it is given to us by our political constitutions; and that it was purchased for us by the blood and toil of our fathers. Now, I wish to see its defence placed on its true and infinitely higher ground; on the ground, that God gave it to us; and that he who violates or betrays it, is guilty, not alone of dishonouring the laws of his country and the blood and toil and memory of his fathers; but, that he is guilty also of making war upon God's plan of man's constitution and endowments; and of attempting to narrow down and destroy that dignity with which God invested him, when He made him in his own image, and but "little lower than the angels." When, therefore, we would defend this right, let us not defend it so much with the jealousy of an American—a Republican; as though it were but an American or a Republican right, and could claim no higher origin than human will and human statutes: but let us defend it as men, feeling that to lose it, is to lose a part of ourselves: let us defend it as men, determined to main-

tain, even to their extreme boundary, the rights and powers which God has given to us for our usefulness and enjoyment; and the surrender of an iota of which is treason against heaven.

There is one class of men, whom it especially behooves to be tenacious of the right of free discussion. I mean the poor. The rich and the honourable, if divested of this right, have still their wealth and their honours to repose on, and to solace them. But, when the poor are stripped of this right, they are poor indeed. The unhappy men, who composed the mob in Utica yesterday, are of this class. May they yet learn, and before it is too late, how suicidal was the violence, *to which the lips and pens of their superiors stimulated them*: and, that in attacking this most precious right in your persons, they were most efficiently contributing to hasten its destruction in their own: a right too in respect to which the poor man is the equal of the richest and the proudest; and his possession of which is all that saves him from being trampled upon in Republican America by the despotism of wealth and titles, as that despotism tramples upon him elsewhere, where he is not permitted to tell the story of his wrongs, and to resist oppression by that power, which even wealth and titles cannot withstand—*the power of the lips and the press*. Let the poor man count as his enemy, and his worst enemy, every invader of the right of free discussion.

We are threatened with legislative restraints on this right. Let us tell our legislators in advance, that this is a right, restraints on which we will not,

cannot bear ; and that every attempt to restrain it is a palpable wrong on God and man. Submitting to these restraints, we could not be what God made us to be ; we could not perform the service to which He has appointed us ; we could not be *men*. Laws to gag a man—to congeal the gushing fountains of his heart's sympathy—and to shrivel up his soul by extinguishing its ardour and generosity—are laws not to assist him in carrying out God's high and holy purposes in calling him into being ; but they are laws to throw him a passive, mindless, worthless being at the feet of despotism.

And to what end is it that we are called on to hold our tongues, and throw down our pens, and give up our influence ? Were it for a good object, and could we conceive that such a sacrifice would promote it, there would be a colour of fitness in asking us to do so. But, this is a sacrifice which righteousness and humanity never invoke. Truth and mercy require the *exertion*—never the *suppression*, of man's noble rights and powers. We are called on to degrade and unman ourselves, and to withhold from others that influence which we are bound to exert upon them, to the end that the victim of oppression may lie more quietly beneath the foot of his oppressor ; to the end, that one-sixth of our countrymen, plundered of their dearest rights—of their bodies, and minds, and souls—may never know of those rights ; to the end, that TWO MILLIONS AND A HALF of our fellow-men, crushed in the iron folds of slavery, may remain in all their suffering, and debasement, and despair. It is for such an

Object—an object so wicked and inexpressibly mean—that we are called on to lie down beneath the slave-holders' blustering and menace, like whipped and trembling spaniels. We reply, that our republican spirit cannot thus succumb; and, what is infinitely more, that God did not make us—that Jesus did not redeem us, for such sinful and vile uses.

We knew before that slavery could not endure, could not survive free discussion; that the minds of men could not remain firm, and their consciences quiet under the continued appeals of truth, and justice, and mercy: but the demand which slave-holders now make on us to surrender the right of free discussion, together with their avowed reasons for this demand, involves their own full concession, that free discussion is incompatible with slavery. The south now admits, by her own showing, that slavery cannot live, unless the north be tongue-tied. But we have two objections to being thus tongue-tied. One is, that we desire and purpose to exert all our powers and influence—lawfully, temperately, kindly—to persuade the slave-holders of the south to deliver our coloured brethren from their bonds: nor shall we give rest to our lips or pens, until this righteous object is accomplished: and the other is, that we are not willing to be slaves ourselves. The enormous and insolent demands of the south, sustained, I am deeply ashamed to say, by craven and mercenary spirits at the north, manifest, beyond all dispute, that the question now is, not merely, nor mainly, whether the blacks at the south shall remain slaves—but whether the whites at the north

shall become slaves also. And thus, while we are endeavouring to break the yokes which are on others' necks, we are to see to it, that yokes are not imposed on our own.

It is said that the south will not molest our freedom, if we will not disturb their slavery—if we will not insist on the liberty to speak and write about this abomination! Our reply is, that God gave us the freedom for which we contend—that it is not a freedom bestowed by man;—not an *ex gratia* freedom, which we have received at the hands of the south;—not a freedom which stands, on the one hand, in the surrender of our dearest rights, and, on the other, in the conceded perpetuity of the body and mind, and soul-crushing system of American slavery. We ask not, we accept not, we scornfully reject the conditional and worthless freedom which the south proffers us.

It is not to be disguised, that a war has broken out between the north and the south. Political and commercial men are industriously striving to restore peace; but the peace which they would effect is superficial; false, and temporary. True, permanent peace can never be restored, until slavery, the occasion of the war, has ceased. The sword, which is now drawn, will never be returned to its scabbard, until victory, entire, decisive victory is ours or theirs; not, until that broad, and deep, and damning stain on our country's escutcheon is clean washed out—that plague spot on our country's honour gone for ever;—or, until slavery has riveted anew her present chains, and brought our heads also to bow

beneath her withering power. It is idle—it is criminal to hope for the restoration of peace on any other condition. Why, not to speak of other outrages which the south has practised on the rights and persons of northern men—who can read the simple and honest account which Amos Dresser gives of his sufferings at the hands of slave-holders, and still flatter himself with the belief that the north can again shake hands with slavery? If the church members and church elders, who sat in mock judgment on that young man's case, could be impelled by the infernal spirit of slavery, to such lawless, ruffian violence; how can any reasonable hope remain, that while the south remains under the malign influences of slavery, its general demeanor toward the north can be even tolerable? The head and front of Dresser's offending, was his connexion with an Anti-Slavery Society in a distant state: and for this he was subjected by professors, and titled professors too, of the meek and peaceful religion of Jesus, to corporal punishment—public, disgraceful, severe.

Who shall be mustered on our side for this great battle? Not the many. The many never come to such a side as ours, until attracted to it by palpable and unequivocal signs of its triumph. Nor do we need the many. A chosen few are all we need. Nor do we desire those who are skilful in the use of carnal weapons. For such weapons we have no use. Truth and love are inscribed on our banners, and "by these we conquer." There is no room in our ranks for the politician, who, to secure the votes of the south, would consent that American slavery

be perpetual. There is no room in them for the commercial man, who, to secure the trade of the south, is ready to applaud the institution of slavery, and to leave his countrymen—his brethren—their children, and children's children—subjected to its tender mercies, throughout all future time. We have no room, no work for such. We want men who stand on the rock of Christian principles ; men who will speak, and write, and act with invincible honesty and firmness ; men who will vindicate the right of discussion, knowing that it is derived from God ; and who, knowing this, will vindicate it against all the threats and arts of demagogues, and money worshippers, and in the face of mobs, and of death. There is room in our ranks for the old and decrepit, as well as the young and vigorous. The hands that are tremulous with years, are the best hands to grasp the sword of the spirit. The aged servants of God best know how “to move the arm which moves the world.” Our work, in a word, is the work of God ; and they are the best suited to it who are most accustomed to do his work.

No. IX.

SPEECH OF ALVAN STEWART, ESQ.,

DELIVERED BEFORE THE STATE ANTI-SLAVERY CONVENTION AT THE
CITY OF UTICA, OCTOBER 21, 1835.

Alvan Stewart, Esq. of Utica rose and said, that with the consent of the Convention, he would trespass a few minutes on the time of this numerous and honourable body, and made, in substance, the following speech :—

Mr. S. said, this was the first Convention which had ever assembled in the United States under such a remarkable state of facts as those which seem to distinguish this from all public bodies of men who have ever met in this land before. For the last forty days at least three hundred of the public presses have daily poured a continued shower of abuse upon the callers and the call for this Convention, characterized by a spirit of vengeance and violence, knowing and proposing nothing but the bitterness of invective, and the cruelty of bloody persecution. He said our enemies have sent their slanders against us, whispering across the diameter of the globe, telling the haughty and sneering minions of Absolutism, on the other side of the world, that the sons of the pilgrims had proved recreant to their lofty lineage, unfaithful to their high destiny, untrue to the last hopes of man.

Said Mr. S. Is it true that the philanthropy which warms our hearts into action, for the suffering slave; can exile our patriotism, and prepare our souls for the most heaven-daring guilt? Is it true, because we feel for bleeding humanity, that it makes us cruel? Can pity produce it? Can love beget hate? Can an affectionate respect and kind feeling for all of the human beings whom Providence has cast in these twenty-four states, be evidence that we wish to cut the throats of two millions and a half of our white-neighbours, friends, brethren and countrymen? Does a generous regard for the injured slave imply hatred for the master? If so, the converse of the proposition must be true, that to love the master

implies hatred to the slave. Neither proposition is true; yet the enemies of this Convention have acted toward us as though these propositions had the assurance of certainty, as we have on a clear day at twelve o'clock at noon that the sun shines on the world.

Said Mr. S., We have been proclaimed traitors to our own dear native land, because we love its inhabitants. Our humanity is treason, our philanthropy is incendiarism, our pity for the convulsive yearnings of down-trodden man is fanaticism. Our treason is the treason of Franklin and Jay; our incendiarism is that of Clarkson and Wilberforce; our fanaticism is the fanaticism of Earl Grey and Lord Brougham, and the majority of the wisest heads in proud Old England; our sentiments are those expressed by William Wirt, Patrick Henry, and Thomas Jefferson.

Our creed is to be found in the two great witnesses of God's revealed will to man—the Old and New Testaments. The Declaration of Independence, the Constitutions of our country, and the laws passed under them, we make the rule of our conduct, in imparting our sentiments to others on the subject of slavery.

Mr. S. said, The enemies of our noble sentiments and elevated intentions, have resorted to the old beaten track of misrepresentation, and by adding to our code views never promulgated, by charging us with intentions never harboured, with expectations never cherished, and as remote from the mind of an abolitionist as infidelity is from the conscience of

piety; as meanness is from generosity, as bigotry is from charity, as truth from falsehood, as freedom from slavery. They would fain make us unfit for this world.

Mr. S. said, We are not judged by evidence, by our own declarations, either what we have said or done, but by acts which our wily adversaries prophesy we will do, or commit, in some future period of time; and thus they lift the curtain, which shuts from all mortal eyes (but prophets') the great unbounded future, and by looking down the vale of time, they behold us engaged in the diabolical and blood-thirsty work of getting laws passed to abolish slavery in the District of Columbia, and the slave territories, and in this way knocking the fetters from the bondman, which our adversaries call treason calculated to dissolve the union.

What union? I doubt not you may see some of these union patriots here to-day, who would take your life and mine, and that of every member of this Convention, and in so doing think they had done their master a service, and lift up their hands for eternal and unmitigated slavery to every coloured man, woman, and child in the United States, and throw into the same pile all who differed with them in sentiment, to promote the interest of their master. *These are the patriotic unionists*, who secretly wish to dissolve the union, by letting the great cancer grow on the neck of the union, without attempting its cure or removal. These are the friends of the union, who are willing to see 2,500,000 men, women, and children sacrificed to the demon of slavery.

. Those unionists are willing to destroy you and me, Mr. Chairman, because we are not terrified at the roaring of the slave-holders, and because we feel for two millions and a half of men, women, and children, who are now being offered at the shrine of cruelty, lust, and avarice. These lovers of the union refuse to hear the loud lamentations of bitter sorrow and hopeless grief, which, like the voice of a mighty flood, ascend day and night from every plantation, every factory, every corn field, every rice-field, every tobacco-field, every cotton-field, and every kitchen of eleven states, and penetrate the ear of God.

Mr. S. said, The *slaves* never held a convention on the subject of their wrongs; they met to petition for a redress of grievances, or remonstrate against the manifold injuries by which they are broken down. No! his petition was never read within the walls of legislation! Solemn thought even to us, who for a moment have become his mouthpiece, to tell his wrongs to the world, and demand redress. We, even we, white-skinned republicans, appear to be on the eve of losing our rights as white men, from having from the deepest impulses of humanity become the slave's organ, to explain to an unfeeling world the wrongs inflicted upon him. If white men in non-slaveholding states encounter so much noisy violence and injury, in barely pleading the cause of the slave before those who have no interest in the slave's body, and whose only interest is to cringe and flatter the master of the slave, what must be the condition of the poor slave, left to plead his

own cause against his own master—that master who is fed sumptuously every day, and clothed in purple and fine linen by the *unpaid labour* of the *slave*. When will the glutton, the wine-bibber, the adulterous, the avaricious, and the cruel, listen to the voice of the unaided slave? But, said Mr. S., some say, “The slaves can be set free twenty or thirty years hence.” Ah! will men have less wants then? more justice and humanity then than now? No. Again, if it is right to liberate slaves fifty years hence, the right is the same now, for there will be human beings in the world then, who will claim the slaves by a long line of descent, who will have as many wants to supply with slave labour as men have now. The sun will shine as hot, the rice-lands will be as unhealthy as now.

Says Mr. S., But we are told by our enemies they love the slaves as well as we do; and then, with the next word, insult and abuse us for telling the world his wrongs, or attempting any redress. Mr. S. said he confessed that this was a new mode of manifesting an equality of love. But perhaps we do not understand our opponents; they may mean that they hate slavery in the abstract, and also hate all means that may be used for its abolition, but perhaps they mean they hate slavery in the abstract, but love it in detail. Or perhaps they mean that they hate abstract slavery and mean to destroy abstract slavery, by hating all white men in favour of its abolition. Perhaps they hate slavery in the abstract, but love the man who causes it in the detail

so well, that abstract hatred for one purpose, is pure love for another. Said Mr. S. A man might as well say, that abstractedly he hated murder, adultery, swearing, and stealing, but that he loved the murderer, adulterer, swearer, and thief. Away with northern Jesuitism, which is opposed to abstract slavery, but in favour of its continuance, and ready to kill any one who wishes to change the present posture of slavery, as it practically exists. Oh shame! hast thou not a new blush for such conscience-ruining sophistry?

The same ingenious and fatal distinction has been taken by the wretched metaphysicians, who are willing to barter American liberty to get gold and power, on the subject of free discussion the summer past.

Anti-abolitionists at the north say they believe in free discussion in the abstract, and will not allow it to be drawn in question. But this means, as we find it interpreted and translated in the Dictionary of Daily Experience, that each man may discuss slavery, or any thing else, in the silent chamber of his own heart, but must not discuss it in public, as it may then provoke a syllogism of feathers, or a deduction of tar. An abolitionist may have the abstract right of discussion, but it must be disconnected with time and place, if a majority of his neighbours differ with him, there is no place *where*, or time *when*, that he may discuss. This abstract discussion requires an abstract place and abstract time; the abstract place must mean the solitude.

of the wilderness, or loneliness of the ocean; and the abstract time must mean some portion of the *past* or *future*, as it is never the *present*.

The liberty of an abolition press is to be silent; the liberty of conscience for an abolitionist is to think to himself; or else to think like his slavery-loving neighbour, or stop *thinking*.

The threat of dissolving the union is the universal medicine for every political difficulty at the south. One day Georgia threatens the dissolution, on account of her Indian territory, gold mines, and state jurisdiction, and the missionaries; then again the poor union was to be dissolved by the post-office robbing state of South Carolina, to vindicate the beauties of nullification.

Then again, this union was to have been dissolved in 1828, 1830, 1831, 1832. At four distinct periods within a short space, because the tariff laws were not made to suit certain slave states; but the noble union held together, we did not hear of a single rafter or brace flinching, in 1835. The union is to be again dissolved and charged in account current to abolition. The joke of it all is, that nothern men professed to be frightened to death every time a negro-driver cries "dissolve the union,—dissolve the *union*." As well might a man who lived in a powder-house, every time he became angry call for firebrands?

Let southern men dissolve this union if they *dare*; *slavery* would *then* take care of itself, and its masters too, in one *little month* both would become extinct. No! oh! deceived northern man,

the southern man will be the last to dissolve this union, by it he expects to enjoy his slaves, without it he cannot one day. But the wily politician of the south has discovered the ghost that never fails to frighten the north, and the north has been kept in a political sweat for the last ten or twelve years, for fear the men, who could not exist as slave-holders without this union, would dissolve it.

It seems dissolution is threatened by the south, unless thirteen free states disfigure and disgrace their statute books with bloody laws to protect slavery, forbidding abolitionists to speak, write, or publish any thing against slavery, or petition for its abolition in the District of Columbia, under heavy penalties ; the despotism of which laws would so far exceed any in Russia or Turkey, that Nicholas, and the Grand Seignor, would recoil with instinctive abhorrence, from so foul an insult to our common humanity. So it is not enough that eleven states must bend their backs under the shameful load of slavery, with statute books blushing for the wrongs done by man to man, which all the unfathomed waters of the great deep could not wash away ; but the tongues of northern men, on the subject of slavery, must cleave to the roofs of their mouths, and the inditing hand be palsied in giving the world a history of the negro's woes. MY COUNTRYMEN, YE SONS OF THE PILGRIMS, THE TYRANT IS AT YOUR DOORS, LIBERTY IS BLEEDING, LIBERTY IS DYING, slavery has robbed you of the liberty of discussion, of conscience, and the press. Armed mobs are to do the work of the slave-holder, till the legislature obeys his mandate.

Then read from your own statute book your doom ;
 you are a slave without his privilege ! Had the
 six hundred delegates, freemen, now before me,
 been deterred from meeting this day, from fear, IT
 WOULD HAVE BEEN WORSE THAN IN VAIN, THAT A
 WARREN FELL, A MONTGOMERY BLEED, AND A LAW-
 RENCE EXPIRED.

You, for this moment, are the representatives of
 American liberty, if you are driven from this sacred
 temple dedicated to God, by an infuriated mob, then
 my brethren, wherever you go, liberty will go,
 where you abide liberty will abide, when you are
 speechless, LIBERTY IS DEAD.*

No. X.

The following individuals residing in the City of
 Utica, are referred to as witnesses of the doings in that
 city previous to and on the 21st October, most
 of them were eyewitnesses of the outrage at the
 Bleeker-street church ; one or two of them the author
 is informed were absent on that day.

J. A. Spencer, Esq,	E. M. Gilbert,
John Bradish, Esq.	James M'Gregor,
Samuel P. Lyman,	H. Bushnell,
Hon. James Dean,	Andrew Hanna,
Sylvanus Holmes,	Amos S. West,
John H. Edmonds, Esq.	David Owens,
P. H. Hurlbert,	B. F. Farwell,
Dr. J. P. Batchelder,	D. E. Stilwell,
Dr. Rathbun,	B. S. Merrill,
Dolphus Bennet,	Edward Norris,
Bradford Seymour,	Eli Manchester,

* The fact, that they were driven from the place where they were
 then assembled, with all the circumstances attending that unparalleled
 outrage, have already appeared.

- | | |
|-------------------------|------------------------|
| Geo. Tracy, | - J. T. Lyman, Esq. |
| Gardiner Tracy, | - S. M. Perrine, |
| James Knox, Esq. | - Wm. C. Rodgers, |
| T. F. Tracy, | - Wm. G. Miller, |
| Wm. B. Clark, | - Thomas Stevenson, |
| John C. Hastings, | - Wm. Sowers, |
| John Wells, | - Henry D. Tucker, |
| Apollos Cooper, | - Edward Herrick, |
| Alfred Hitchcock, | - Thomas James, |
| William Stacy, | - S. Bayley, |
| Edward Bright, | - Thomas Powell, |
| J. H. Richmond, | - Lucius Lawrence, |
| Edward Curran, | - Rev. James Griffith, |
| John S. Peckham, | - John S. Bailey, |
| Thomas Sidebotham, | - Thomas Thomas, |
| John Fish, | - Daniel Thomas, |
| Zenas Wright, | - Job Parker, |
| Alexander Cameron, | - Thomas Roundey, |
| Wm. T. Meeker, | - Abijah Mosher, |
| Quartus Graves, | - James C. Gilbert, |
| Anson Thomas, | - Ezekiel Clark, |
| Curtiss Holgate, | - Henry S. Cole, |
| * Abijah Thomas, | - Rev. Abijah Crane, |
| Lewis Lawrence, | - W. D. Hamblin, |
| - Alvan Stewart, Esq. | - Henry Nash, |
| - Spencer Kellogg, | - Asaph Seymour, |
| - Jacob Snyder, | - Elisha Cadwell, |
| - James C. Delong, | - Noah White, |
| - Rev. Oliver Wetmore, | - Wells M. Gaylord, * |
| - Samuel Lightbody, | - James Sayre, |
| - George Lawson, | - Levi Kellogg, |
| - Geo. D. Foster, | - Phillip Thurber, |
| - Francis Wright, | - J. E. Warner, |
| - Morris Wilcox, | - Briggs W. Thomas, |
| - Palmer V. Kellogg, | - John Thomas, |
| - Orren Clark, | - J. D. Corey, |
| - Rev. Amos Savage, | + Geo. Smith, |
| - John B. Shaw, | - W. F. Gould, |
| - Frederick Southworth, | - J. Martin, |
| - Shubael Storrs, | - Amaziah Hotchkiss, |
| - S. H. Addington, | - John S. Lattimore, |

~~Geo. L. Dickinson,~~	~~J. W. Doolittle,~~
~~John P. Guest,~~	Abram Clemmer,
~~John F. Temple,~~	D. H. Hastings,
~~Erastus Barnes,~~	John Moffit,
~~Jacob Vanderhuyden,~~	Edward Vernon,
~~Orrin Kendall,~~	Alerick Hubbell,
~~Josiah J. Ward,~~	Bradford S. Merrill,
~~Alfred Wells,~~	C. Burnett,
~~Ira Thurber,~~	Robert Roberts,
~~Oliver V. Worden,~~	John Lloyd,
~~L. P. Rising,~~	Isaac Merrill,
~~Thomas M. Martyn,~~	Wm. G. Miller,
~~James Clark,~~	A. Mosher,
~~E. R. Beadle,~~	Chester Scofield,
~~L. S. Kellogg,~~	William Clark, Proprietor
~~Henry Newland,~~	of Temperance Hotel,
~~Richard C. Thomas,~~	Henry Johnson, Esq.
~~Robert Debnam,~~	William Williams,
~~David Lynes,~~	E. Carrington,
~~E. P. Marshall,~~	William Osborn,
~~David Ladd,~~	Charles Border,
~~E. P. Curry,~~	J. G. Rittie,
~~Samuel Thorn,~~	Jacob D. Edwards,
~~Palmer Townsend,~~	C. Field, Esq.
~~William Whiteley,~~	Orrin Marshall,
~~George Brayton,~~	A. V. H. Webb,
~~Thomas Davis,~~	J. C. Shippy,
~~I. P. Van Sice,~~	S. G. Giles,
~~S. M. Beckwith,~~	~~M. S. Bailey,~~
~~Stephen N. Bushnell,~~	W. D. Hamlin,
~~George Walker,~~	W. Kimball,
~~E. P. Clark,~~	Silas Hawes,
~~Wm. H. Gray,~~	~~John Bailey,~~
~~Theodore Monroe,~~	S. Aylesworth,
~~Nelson Fleetwood,~~	Charles Doolittle,
~~Henry Putman,~~	William N. Dobson,
~~Dr. Joseph P. Newland,~~	William M. Davis,
~~Mr. Arnold,~~	Maj. William Gere,
~~— Barnes,~~	Stephen Mather,
~~William Parker,~~	David E. Morris.
~~Nathan Christian,~~	

The following individuals were in the City of Utica, on the 21st October, and were eyewitnesses of the disgraceful proceedings above related. There may be two or three exceptions. In giving so many names it is possible some few inaccuracies may have been committed.

<i>Allegany county,</i>	<i>Erie county,</i>
A. G. Prentiss,	Rev. Abiel Parmerlee.
Josiah Bradley, Esq.	L. A. Skinner,
<i>Cayuga county,</i>	Edwin A. Marsh,
J. Crane, Auburn.	Ambrose George.
<i>Broome county,</i>	<i>Genesee county,</i>
Elisha Hall.	Rev. William Arthur,
<i>Chataugue county,</i>	Perry,
J. M. Ketchum,	Samuel H. Gridley, do.
O. P. Conklin,	Abraham E. Unis, do.
E. Eddy.	Samuel F. Phoenix, do.
<i>Chenango county,</i>	Josiah Andrews, do.
Rev. Henry Snyder,	Roswell Gould,
William Avery, Sherburne	Dr. Augustus Frank, War-
Eli Lee, do.	saw,
J. W. Fox, do.	Ezra Walker, do.
S. Carver, do.	Wm. Buxton, do.
Rev. S. Hawley, W. Link-	Samuel Fisher, do.
laen,	Isaac C. Brownston, do.
Elias Childs, Roxdale.	<i>Greene county,</i>
<i>Clinton county,</i>	Robert Jackson, Catskill.
Thomas B. Watson, Esq.	<i>Herkimer county,</i>
Rev. Horatio Foot,	Dr. David Bingham, Nor-
William J. Savage.	way,
<i>Cortland county,</i>	John M. Andrews,
Ira Bowen,	O. C. Brown, Litchfield,
S. S. Bradford, Homer.	Isaac Mills, do.
<i>Delaware county,</i>	Oliver Prescott,
Rev. J. A. Hoyt, Franklin,	Elam Holcomb,
Isaac Platt, do.	W. B. Armstrong.
<i>Dutchess county,</i>	<i>Jefferson county,</i>
Willard Burr, Poughkeep-	Rev. Henry Jones, Ant-
sie,	werp,
Samuel Thompson, do.	J. A. Northup, do.

Rev. Marcus Smith.	Willard Colton,
<i>Kings county,</i>	S. Marsh,
Luther Lamsen, Lorrain,	William Everts,
Lorin Bushnell, do.	E. Sears,
<i>Lewis county,</i>	Dr. Milton Barnett,
Gen. J. A. Northop, Low-	Dr. Fordyce Rice,
ville,	George Dorrance, Peter-
Dr. David Perry, do.	boro, do.
Rev. I. L. Crandell.	Gerrit Smith, Esq, do.
<i>Livingston county,</i>	<i>Montgomery county,</i>
Reuben Sleeper, Mount	William Elder,
Morris.	Edward Leonard.
<i>Madison county,</i>	<i>City and county of</i>
Rev. John Ingersol, Caze-	<i>New-York,</i>
novia,	William Green, Jun.
Allen Kingsbury, Esq. do.	Richard Cunningham,
W. L. Wilson, do.	Rev. Samuel Beeman,
Henry Van Drieson,	J. W. Higgins,
Rev. J. W. Spoor,	Rev. Daniel Clark,
Amos Gilbert, Smithfield,	Robert Brown,
Barnabas Snow, do.	J. M. Dimond,
Orrin Stevens, do.	L. W. Gilbert,
Wm. P. St. Johns,	Rev. Joshua Leavitt,
C. Bascom, Hamilton,	Editor of N. Y. Evan-
Rev. Lumand Wilcox, do.	gelist,
Zebulon Weaver, do.	Edward A. Lambert,
F. B. Ward,	J. F. Robinson, Esq.
James Gloucester,	A. B. Rumsey,
Henry Randall,	Baxter Sayre,
E. H. Payson,	Lewis Tappan,
William Morse,	R. G. Williams,
Amariah Williams,	Charles Whittlesey,
Rev. Wm. B. Tompkins,	E. Wright, Jun.
Lebanon,	S. D. Childs,
Thomas Bright, do.	Wm. S. Dorr,
Ezra Campbell, do.	N. H. Blackford,
N. Shapley, do.	Wm. A. Holdridge,
John W. Adams,	James H. Parker,
Edward Stanford,	Duncan Kennedy,
Edward Lewis, Esq.	L. C. Gunn,
Joseph M. Carson,	George H. White,

George A. Dwight,	Rev. A. Mills, do,
Dr. Thomas Pitts,	and many others do.
David Ruggles,	Norman Miller, Vienna,
Washington Erving,	O. S. Parmelee, Clinton,
Truman Roberts.	H. Pollard, do.
<i>Niagara county,</i>	Sheldon Parmelee, do.
Rev. A. Ingersol,	John Dodge,
J. Tryon Trotter,	Wm. S. Gale,
Dr. J. W. Smith.	Dr. A. Holbrook,
<i>Oneida county,</i>	Geo. Stedman,
Rev. Beriah Green,	Amos Hunt,
Whitestown,	Jackson Tibbetts, Rome,
Rev. John Frost, do.	S. B. Roberts, Esq. do.
M. S. Losey, do.	A. Sedgwick, do.
W. H. Tibbitts, do.	Dr. Arba Blair, do.
David Foster, do.	B. P. Johnson, Esq. do.
Vincent L. Lovell, do.	Charles Barnes, Saquoit,
L. Bliss, do.	Henry Crane, do.
C. D. Wolcott, do.	Alonzo Gray, do.
and 100 others do.	F. A. Gray, do.
Dr. N. Sherill, Westmore-	F. A. Spencer, Verona,
land,	J. M. Benham, Bridgewa-
Harvey Brigham, do.	ter,
Simeon Lyman, do.	Rufus Bacon,
Rev. Harvey Blodgett, do.	Gates Miller, Vienna,
" E. Fairchild, do.	Rev. Rufus R. Dunning,
" Abraham Miles, do.	Trenton,
Dr. Edward Loomis, do.	" O. Parker, do.
John Townsend, Esq. do.	Isaac Curry Esq. do.
H. G. Loomis, do.	Nehemiah Cobb,
Rufus Pratt, do.	John Wood,
Charles Judson, do.	S. B. Lyman,
Benj. S. Graves, do.	J. W. Gilmore,
and many others do.	E. O. Ward,
Dr. U. H. Kellogg,	S. T. Voorhies,
N. Hartford,	Theodore Miller,
John A. Read, do.	Jeremiah Prescott,
James Wells, do.	Charles M'Lane,
Francis D. Porter, do.	John G. Kellogg,
R. Seymour, do.	Samuel Wells,
Warren Gates, do.	Professor Grant,

-I. A. Canfield,	A. D. Hollister, Burling-
-Giles Waldo,	ton.
-I. F. Griffin,	<i>Oswego County,</i>
-Wm. Smith,	Edward Griffing,
-J. O. Wattles,	Rev. Ralph Robinson,
-D. C. Wilbour,	" Mr. Tucker,
W. B. Ransom,	A. H. Stevens,
A. G. Beeman,	Thomas C. Baker,
Sydney Bryant,	J. C. Jackson,
-S. P. Hough.	A. S. Savage,
<i>Onondaga County,</i>	William Gail,
Rev. S. S. Smith, Fayette	John Clark,
P. O.	Edward Griffin,
" Charles Smith, Man-	Rev. Luther Myrick,
lius,	Charles Marshall,
" Wm. Wheeler Dewitt,	Robert M'Farland,
Darling Thompson, Esq.	S. Cole,
John M'Vickar, Fayette-	I. T. Headley,
ville,	J. S. Savage, Mexico.
Philip Flint, do.	<i>Ontario County,</i>
J. H. Waldo,	Hunter Robinson, Canan-
W. M. Clark,	daigua,
R. S. Orvis.	Franklin Howe,
<i>Otsego County,</i>	John Mather,
Rev. C. E. Goodrich,	A. B. Smith,
Cooperstown,	George Donan,
R. S. Peters, Hartwick,	James Talman,
Rev. Waters Warren, Gil-	R. B. Palmer,
bertville,	S. J. M. Beebe,
Charles Root, do.	Sidney Santell.
Rev. D. Van Valkenburg,	<i>Orleans County,</i>
Richfield,	Samuel A. Rawson.
C. J. Walker, Coopers-	<i>Monroe County,</i>
town,	Geo. A. Avery, Rochester,
F. N. Andrews,	W. U. Rudd, do.
Horace Foot, Burlington,	S. S. Nichols, do.
Martin Bridges,	L. M. Moore, do.
Rev. J. B. Graves, Otsego,	C. Avery, do.
E. C. Adams, Coopers-	A. J. Burr, do.
town,	E. Stillson, do.
R. C. Swift, Hartwick,	Spencer Davis, do.

Silas Cornell, do.	R. J. Knowlson,
Rev. Elon Galusha, do.	S. H. Gregory,
Levi W. Sibley, do.	John Saden.
Samuel Hamilton,	<i>Saratoga County,</i>
Hon. Henry Brewster,	Rev. Caleb Green.
Riga,	<i>Suffolk County,</i>
O. Savage,	Rev. C. J. Knowles,
Benj. Fish,	George Miller, River-
H. B. Sherman,	head.
G. A. Hollister,	<i>Tompkins County,</i>
A. Gould,	Dr. S. Bliss,
E. Strong,	A. Northrop,
O. F. Avery,	Rev. Marcus Harrison,
A. G. Hall, Penfield,	Ludlowville.
R. Clapp, Greece,	<i>Warren County,</i>
R. De Forest, Churchill,	Elias Patterson,
Thomas Blossom, Brigh-	James S. Judd.
ton,	<i>Washington County,</i>
Orange Stone, do.	Rev. Nathaniel Culver,
Joseph Bloss, do.	Dr. Hiram Corliss,
C. C. Foote, East Mendon,	William H. Morey,
D. Cranch,	Rev. Thomas Powell,
Rev. I. I. Fulton,	John F. Scovill,
William S. Elliott,	A. P. Beebe.
Rev. A. P. Brooks,	<i>Wayne County,</i>
Edward Moore, Roches-	Cephas Foster,
ter,	A. B. Smith,
Mr. Atwater, do.	Jared C. Hathaway.
<i>Rensselaer County,</i>	<i>St. Lawrence County,</i>
Rev. J. H. Martyn, Green-	L. M. Shepard.
bush,	<i>State of Ohio,</i>
" John Grey,	Rev. John J. Shipherd,
Amos K. Hadley, Troy,	Oberlin,
Wells H. Hadley, do.	Albert Bliss, Elyria,
John I. Miter, do.	Philemon Bliss, do.
— Yates, do.	<i>State of Virginia,</i>
Prentiss W. Marsh,	F. A. Wingfield, Esq. Nor-
Rev. Isaac Foster,	folk.

N. B. The author has been furnished with the names of several hundreds of other individuals, residing in different parts of the

country, who were in Utica on the 21st. Oct. and were witnesses to most of the transactions of that day, but there can be no necessity of naming above five hundred. The characters of the above mentioned persons, it is believed, are without exception, beyond reproach. The names of FIVE HUNDRED more will be given in due time if it should become necessary.

THE END.

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